

TWENTY-FIFTH DAY.

(Thursday, February 17, 1927.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker.	King of
Albritton.	Throckmorton.
Alexander.	Kinnear.
Avis.	Kirkland.
Barnett.	Land.
Barron.	Lipscomb.
Bass.	Loftin.
Bateman.	Long.
Beck.	Loy.
Bird.	Masterson.
Black.	McCombs.
Boggs.	McGill.
Boon.	Merritt.
Brown.	Minor.
Conway.	Montgomery.
Cornwell.	Morse.
Cox.	Moursund.
Cummings.	Murphy.
Daniel.	Nabors.
DeBerry.	Nicholson.
Denman.	Olsen.
Dielmann.	Parish of Runnels.
Dunlap.	Parrish of Travis.
Durham.	Pavlica.
Duvall.	Pearce.
Enderby.	Poage.
Eickenroht.	Pool.
Farrar.	Pope.
Faulk.	Porter.
Finlay.	Powell.
Fly.	Purl.
Forbes.	Ramsey.
Foster.	Rawlins.
Gates.	Reagan.
Gibson.	Renfro
Gilbert.	of Angelina.
Graves.	Renfro of Mills.
Gray.	Rogers of Hays.
Hagaman.	Rogers of Shelby.
Hall.	Rowell.
Harding.	Runge.
Harman.	Sanders.
Hefley.	Satterwhite.
High.	Shearer.
Holder.	Sheats.
Holland.	Shirley.
Hornaday.	Simmons.
Jacks.	Sinks.
Johnson.	Smith of El Paso.
Jones.	Smith of Nueces.
Justice.	Smith of Smith.
Kayton.	Smyth.
Kemble.	Snelgrove.
Kennedy.	Stevenson.
Kenyon.	Storey.
Kincaid.	Stout.
King of Hopkins.	Sutton.

Swain.	Wassell.
Taylor.	Webb.
Teer.	Wells.
Turner.	Whitaker.
Van Zandt.	Williams
Veatch.	of Sabine.
Waddell.	Williams
Walker.	of Travis.
Wallace	Williamson.
of Freestone.	Woodall.
Wallace of Panola.	Woodruff.
Wallace of Smith.	Young.
Ware.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Bonham for today, on motion of Mr. Turner.

Mr. Anderson for today and the balance of the week, on motion of Mr. Kayton.

Mr. Shaver for today and the balance of the week, on motion of Mr. Runge.

Mr. Branch for today, on motion of Mr. Kirkland.

The following members were granted leaves of absence on account of illness:

Mr. McKean for today and the balance of the week, on motion of Mr. Rogers of Hays.

Mr. Fuchs for today, on motion of Mr. Smith of Smith.

Mr. Tillotson for today, on motion of Mr. Fly.

Mr. Smith of Atascosa for today and indefinitely, on motion of Mr. Holland.

Mr. Davis of Dallas was granted leave of absence for today that he might attend the funeral of Miss Edna Rugel, former clerk of the Committee on Contingent Expenses, which is to be held today.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Rawlins, Mr. Jacks, Mr. Holder and Mr. McCombs:

H. B. No. 566, A bill to be entitled "An Act to create a district court of Dallas county, to be known as the Juvenile District Court of Dallas county; to define the jurisdiction thereof; fixing the salary of the judge of said court; providing for the appointment and election of the judge of said court hereby created; providing for the transfer of causes to said court; providing for the appointment of special judges and filling vacancies in said offices; providing for the drawing of jurors for said court and for the exchange with other district judges, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. McCombs:

H. B. No. 567, A bill to be entitled "An Act for the purpose of promoting the school interests of rural schools and those of small towns; of aiding the people to provide adequate school facilities for the education of their children by the appropriation of three million dollars (\$3,000,000) per year for the next two fiscal years ending August 31, 1928, and August 31, 1929, respectively; allowing the county school trustees to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished and maintained; providing certain prerequisites for granting of such aid; providing for reports to be made to State Superintendent of Public Instruction; providing for the manner of payment and disbursing of all money granted under the provisions of this act; repealing all laws and parts of laws in conflict herewith."

Referred to Committee on Appropriations.

By Mr. Harman, Mr. Poage and Mr. Jones:

H. B. No. 568, A bill to be entitled "An Act making a grant and donation to McLennan county of a portion of the State ad valorem taxes in said county for a period of twenty-five years to enable said county to construct a dam, floodgates, spillways, storage and retarding basin on the Bosque River, and the necessary breakwaters, levees, dikes, floodways and drainways to protect said county and other counties from disastrous and calamitous overflows; prescribing certain conditions precedent to said grant; providing the necessary matters and things

incidental to and necessary for the carrying out of the purposes of this act, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Teer, Mr. Satterwhite and Mr. Wallace of Freestone:

H. B. No. 569, A bill to be entitled "An Act relating to the State Prison System; providing appropriations to pay the outstanding debts of the prison system which are now due or which may mature prior to the first day of September, A. D. 1927; making appropriations for support and maintenance of the prison system until the first day of September, A. D. 1927; providing how moneys shall be paid and become available; enacting provisions relative to moneys now on hand by the prison system; providing that hereafter all moneys received by the prison system shall be placed in the State treasury to the credit of the general revenue fund, and no money shall be paid out except upon sworn accounts and on warrants drawn by the Comptroller as provided for by general laws of this State in reference to other departments of the State government, and pursuant to appropriations made by the Legislature; providing all things necessary to carry out the main purpose of this act, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Reagan:

H. B. No. 570, A bill to be entitled "An Act determining and fixing the annual salary of the county superintendent of public instruction of Orange county, Texas; providing for the payment of said salary; providing for the payment of office and traveling expenses, and declaring an emergency."

Referred to Committee on Education.

By Mr. Webb (by request):

H. B. No. 571, A bill to be entitled "An Act for the purpose of creating an Agricultural and Live Stock Commission, consisting of three members to be appointed by the Governor of Texas, and for the co-operation of the said commissioners, the Agricultural and Mechanical College of Texas and Texas Technological College, and any other agencies in Texas, for the purpose of encouraging the diversification of crops grown in the State of Texas, including the raising and exhibiting and marketing of all kinds of livestock, including

cattle, horses, sheep, mules, hogs, and providing ways and means for securing the necessary expenses for carrying on the work of this commission and for making and having agricultural exhibits or tests in the State of Texas, and the exhibition of livestock; and providing for the regulation of the time and places of having agricultural exhibits and livestock exhibitions in the various counties of the State and giving authority to persons, corporations and associations to conduct such exhibitions of livestock and agricultural exhibitions, and providing that the provisions of this act shall not be deemed a violation of sections of Articles 647, 649 and 651 of the Revised Criminal Statutes of Texas."

Referred to Judiciary Committee.

By Mr. Webb:

H. B. No. 572, A bill to be entitled "An Act to amend Chapter 2, Title 128, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, by adding thereto a new article to be known as Article 7622a, authorizing lands, either within or without water improvement districts, to be included within a district organized for co-operation with the United States under the Federal reclamation laws, for the purpose of the construction of irrigation works or the obtaining of a water supply therefrom, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Stout:

H. B. No. 573, A bill to be entitled "An Act prohibiting the publication for sale of opinions or judgments, in bound volume or pamphlet form, of any Court of Civil Appeals of this State; defining offenses; describing punishment for the violation thereof; repealing all laws in conflict therewith, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Masterson, House bills Nos. 354 and 355 and Senate bill No. 183 were ordered not printed.

MOTION TO PRINT HOUSE BILL NO. 544.

Mr. Kemble moved that House bill No. 544, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—46.

Mr. Speaker.	Murphy.
Barron.	Parrish of Travis.
Bateman.	Poage.
Boggs.	Porter.
Brown.	Purl.
Cornwell.	Ramsey.
Daniel.	Rogers of Hays.
DeBerry.	Sanders.
Duvall.	Shearer.
Farrar.	Smith of El Paso.
Faulk.	Smith of Nueces.
Forbes.	Stevenson.
Graves.	Swain.
Hall.	Taylor.
Holland.	Teer.
Hornaday.	Veatch.
Justice.	Wallace
Kemble.	of Freestone.
King of Hopkins.	Wallace of Panola.
King of	Wells.
Throckmorton.	Williams
Kinnear.	of Sabine
Kirkland.	Williams
Masterson.	of Travis.
Minor.	Young.

Nays—57.

Albritton.	Moursund.
Alexander.	Nabors.
Avis.	Olsen.
Barnett.	Parish of Runnels.
Bass.	Pavlica.
Black.	Pearce.
Boon.	Pope.
Conway.	Powell.
Cox.	Renfro of Mills.
Cummings.	Rogers of Shelby.
Durham.	Rowell.
Enderby.	Runge.
Eickenroht.	Shirley.
Finlay.	Simmons.
Fly.	Sinks.
Gates.	Smyth.
Gray.	Snelgrove.
Harman.	Storey.
Hefley.	Sutton.
Jones.	Turner.
Kayton.	Van Zandt.
Kennedy.	Waddell.
Kincaid.	Walker.
Loftin.	Ware.
Long.	Webb.
Loy.	Whitaker.
McCombs.	Woodall.
McGill.	Woodruff.
Merritt.	

Present—Not Voting.

Bird.

Absent.

Acker.

Beck.

Denman.	Montgomery.
Dielmann.	Morse.
Dunlap.	Nicholson.
Foster.	Pool.
Gibson.	Rawlins.
Gilbert.	Reagan.
Hagaman.	Renfro
Harding.	of Angelina.
High.	Satterwhite.
Holder.	Sheats.
Jacks.	Smith of Smith.
Johnson.	Stout.
Kenyon.	Wallace of Smith.
Land.	Wassell.
Lipscomb.	Williamson.

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Waddell, Senate bill No. 356 was ordered not printed.

On motion of Mr. Williamson, the following bills were ordered not printed: Senate bills Nos. 167, 183, 279, 354, 355, 356 and House bills Nos. 495, 498 and 550.

RELATING TO TREATMENT OF COMMITTEE ROOMS AND FURNITURE.

Mr. Graves offered the following resolution:

Whereas, Many of the committee rooms and other rooms of the House of Representatives have had their floors recovered with a first-class linoleum and their furniture replaced with first-class walnut and mahogany furniture; and

Whereas, In some of these rooms cigarettes and cigar stubs have been thrown on the new linoleum to such an extent that said linoleum has been parched, burnt, and disfigured; and

Whereas, Certain persons have been guilty of propping their feet upon the tables in said rooms, thus needlessly defacing said tables; and

Whereas, Such conduct is unwarranted and should be stopped; therefore, be it

Resolved, That all members and employes of the House of Representatives and visitors are hereby cautioned to refrain from doing anything that would deface or disfigure any room or its furniture; and be it further

Resolved, That the members of this House co-operate with the Speaker of the House and the Sergeant-at-Arms in

the enforcement of such regulations as the Speaker may deem necessary to protect the House and its furniture from the evils herein stated.

The resolution was read second time and was adopted.

PROVIDING FOR COMMITTEE TO INVESTIGATE THE NEEDS OF A DENTISTRY DEPARTMENT AT UNIVERSITY.

Mr. Duvall offered the following resolution:

H. C. R. No. 25, Providing for a committee of two members of the Senate and three members of the House to investigate and report back to the Legislature at the next session whether general or special, in reference to the need of a department of dentistry at the University of Texas.

Be it resolved by the House of Representatives of Texas, the Senate concurring:

Section 1. That there shall be a committee appointed, consisting of two members of the Senate, appointed by the Lieutenant Governor, and three members of the House of Representatives appointed by the Speaker of the House to investigate and report back to the Legislature at its next session, whether general or special, in reference to the need of a department of dentistry of the University of Texas.

Sec. 2. It shall be the duty of said committee to make investigations as to the number of dentists practicing in this State, the number of new dentists each year, the number coming to this State from other States, and information as to where such dentists procure their education; and shall investigate all other matters in connection with the subject in order to inform the Legislature as to whether it would be for the best interests of the people of this State to establish and maintain a department of dentistry to be a department or branch of the University of Texas, and, if so, where the same should be located.

Sec. 3. Said committee shall make a written report to the next session of the Legislature, whether general or special. Said committee and the members thereof shall be entitled to actual expenses incurred in the performance of their duties, to be paid out of the fund available for contingent expenses of the Legislature of the State of Texas on accounts approved as provided by law.

Signed—Duvall, Shearer.

The resolution was read second time.

Mr. Finlay moved that the resolution be referred to the Committee on State Affairs.

Mr. Holder moved that the resolution be referred to the Committee on Education.

Question first recurring on the motion of Mr. Holder, it prevailed.

HOUSE JOINT RESOLUTION NO. 14 ON SECOND READING.

The Speaker laid before the House, for consideration at this time, the following resolution:

H. J. R. No. 14, A joint resolution relating to the public free schools of Texas.

The resolution was read second time.

Mr. Kennedy moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m. today, and the call was not seconded.

Mr. Brown offered the following (committee) amendment to the resolution:

H. J. R. No. 14, Proposing to amend Article 7 of the Constitution by adding thereto Section 16, providing that the term of all officers of the public free school system, including State institutions of higher education, may be fixed not to exceed ten years; proposing to amend Section 8 of Article 7 of said Constitution, authorizing the appointment of a State Board of Education to consist of ten members to serve ten years; proposing to amend Article 7 of said Constitution by adding thereto Section 3b authorizing the levy, annually, of a county school tax not to exceed fifty cents on the one hundred dollars valuation of taxable value in each county; proposing to amend Article 4 of said Constitution by adding thereto Section 12a, providing that the term of all offices filled by appointment with the advice and consent of the Senate shall expire on the first day of March of a year in which the Legislature shall meet in regular session, and that compensation shall begin only when the duties begin; that the appointing power shall make appointments to fill vacancies not later than March 2nd next after the vacancies occur, and that if no appointment is made by that date the Senate shall elect a suitable person to fill any such vacancy then existing; requiring said amendments to be submitted to the people for adoption and making appropriations therefor.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article 7 of the Con-

stitution be amended by adding, thereto Section 16 as follows:

The Legislature shall fix by law the terms of all offices of the public school system and of the State institutions of higher education, inclusive, of the terms of members of the respective boards, at not to exceed ten years.

Sec. 2. That Section 8 of Article 7 of the Constitution be amended so as to hereafter read as follows:

The Legislature shall provide by law for a State Board of Education, whose members shall be appointed in such manner and by such authority and shall serve for such terms as the Legislature shall prescribe not to exceed ten years. The said board shall perform such duties as may be prescribed by law.

Sec. 3. That Article 7 of the Constitution be amended by adding thereto Section 3b as follows:

The Legislature shall provide by law for the levy and collection of a county school tax not to exceed fifty cents on the one hundred dollars of assessed valuation of property in each county.

Sec. 4. That Article 4 of the Constitution be amended by adding thereto Section 12a as follows:

The Legislature shall provide by law that the terms of all officers who are appointed subject to the advice and consent of the Senate shall expire on the first day of March in a year in which the Legislature shall meet in Regular Session, but compensation shall begin only when such officer shall qualify and enter upon the duties of his office; all such officers, however, shall continue in office until their successors are elected and qualified. It shall be the duty of the appointing power to submit to the Senate a nomination to fill the vacancy in all such offices not later than March 2nd in the years in which the Legislature meets in Regular Session, and in case it or he fails so to submit a nomination for any office whose term has expired or is expiring on March 1st of such year, the Senate shall proceed to elect a suitable and qualified person to fill the office.

Sec. 5. The foregoing constitutional amendments shall be submitted to a vote of the qualified electors of this State, at an election to be held on the first Tuesday after the first Monday in November, A. D. 1928, at which all ballots shall have printed thereon the following:

(1) "For the amendment to Article 7, adding Section 16, providing that school officers, including boards of insti-

tutions of higher education, shall serve for a term not exceeding ten years."

"Against the amendment to Article 7, adding Section 16, providing that school officers, including boards of institutions of higher education, shall serve for a term not exceeding ten years."

(2) "For the amendment to Section 8 of Article 7 of the Constitution, providing for the appointment of a State Board of Education to serve without compensation."

"Against the amendment to Section 8 of Article 7 of the Constitution, providing for the appointment of a State Board of Education to serve without compensation."

(3) "For the amendment to Article 7 of the Constitution adding Section 3b authorizing a county school tax not to exceed fifty cents on the one hundred dollars valuation of taxable property."

"Against the amendment to Article 7 of the Constitution adding Section 3b authorizing a county school tax not to exceed fifty cents on the one hundred dollars valuation of taxable property."

(4) "For the amendment of Article 4 of the Constitution, fixing March first as the ending of the term for appointive officers and requiring the Senate to fill vacancies therein where those whose duty it is to make such appointments fail to do so within the time required."

"Against the amendment of Article 4 of the Constitution, fixing March first as the ending of the term for appointive officers and requiring the Senate to fill vacancies therein where those whose duty it is to make such appointments fail to do so within the time required."

Each voter shall scratch out one of the above listed clauses on the ballot, leaving the one expressing his vote on the proposed amendment to which it relates.

Sec. 6. The Governor of this State is hereby directed to issue the necessary proclamation ordering an election to determine whether or not the proposed constitutional amendments set forth herein shall be adopted, and to have the same published as required by the Constitution and laws of this State. And the sum of five thousand (\$5,000.00) dollars, or so much thereof as may be necessary, is hereby appropriated from any funds in the State Treasury, not otherwise appropriated to defray the expenses of printing said proclamation and of holding said election.

Mr. Veatch offered the following amendment to the amendment:

Amend House joint resolution No. 14, page 2, by striking out lines 17, 18, 19 and 20, inclusive.

Mr. Farrar offered the following substitute for the amendment:

Amend House joint resolution No. 14, page 2, by striking out lines 15 to 20, inclusive, and lines 15 to 21, inclusive, on page 3.

(Mr. Fly in the chair.)

Mr. Snelgrove moved the previous question on the pending amendments, and the main question was ordered.

(Speaker in the chair.)

Question first recurring on the amendment by Mr. Farrar, it was adopted.

Question then recurring on the amendment as substituted, it was adopted.

Mr. Veatch moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

RECESS.

On motion of Mr. Kemble, the House at 12 o'clock m. took recess to 2 o'clock p. m. today..

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

HOUSE JOINT RESOLUTION NO. 14 ON SECOND READING.

The House resumed consideration of pending business, same being House joint resolution No. 14, relative to the public schools of Texas, on its second reading with (committee) amendment by Mr. Brown, pending.

Mr. Satterwhite offered the following amendment to the amendment:

Amend (committee) amendment to House joint resolution No. 14 by striking out all of Section 4 on page 2, and all of lines 22 to 31, inclusive, on page 3.

The amendment was adopted.

Mr. Farrar offered the following amendment to the amendment:

Amend House joint resolution No. 14 by adding "or elected," after the word "appointed," in line 11, page 2, Section 2, and amend the caption to conform thereto.

The amendment was adopted.

The (committee) amendment, as amended, was then adopted.

Mr. Williams of Travis moved a call of the House for the purpose of main-

taining a quorum pending consideration of House joint resolutions, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Stevenson, the Sergeant-at-Arms was instructed to bring in all absent members within the city.

Mr. Brown offered the following amendment to the resolution:

Amend the caption of House joint resolution No. 14 by striking out all after the word "years" in line 9, down to and including the word "existing" in line 25.

The amendment was adopted.

House joint resolution No. 14 was then finally passed by the following vote:

Yeas—105.

Mr. Speaker.	Kenyon.
Acker.	Kincaid.
Alexander.	King of Hopkins.
Barnett.	Kinnear.
Barron.	Kirkland.
Bass.	Land.
Bird.	Lipscomb.
Black.	Long.
Boggs.	Loy.
Brown.	Masterson.
Conway.	McCombs.
Cornwell.	McGill.
Cox.	Minor.
Cummings.	Moursund.
Denman.	Murphy.
Dielmann.	Nabors.
Durham.	Nicholson.
Duvall.	Parish of Runnels.
Enderby.	Parrish of Travis.
Eickenroht.	Pearce.
Farrar.	Poage.
Faulk.	Pool.
Fly.	Pope.
Forbes.	Porter.
Gibson.	Powell.
Gilbert.	Purl.
Graves.	Ramsey.
Gray.	Renfro
Hagaman.	of Angelina.
Hall.	Renfro of Mills.
Harding.	Rogers of Hays.
Harman.	Rogers of Shelby.
High.	Runge.
Holder.	Sanders.
Holland.	Satterwhite.
Hornaday.	Shearer.
Jones.	Sheats.
Justice.	Shirley.
Kemble.	Simmons.
Kennedy.	Sinks.

Smith of El Paso.	Wallace of Smith.
Smith of Nueces.	Ware.
Smith of Smith.	Wassell.
Snelgrove.	Webb.
Stevenson.	Wells.
Storey.	Whitaker.
Swain.	Williams
Teer.	of Sabine.
Tillotson.	Williams
Turner.	of Travis.
Van Zandt.	Williamson.
Veatch.	Woodall.
Waddell.	Woodruff.
Wallace	Young.
of Freestone.	

Nays—12.

Albritton.	Olsen.
Bateman.	Pavlica.
Finlay.	Smyth.
Hefley.	Taylor.
King of	Walker.
Throckmorton.	Wallace of Panola.
Merritt.	

Absent.

Avis.	Kayton.
Beck.	Loftin.
Boon.	Montgomery.
Daniel.	Morse.
DeBerry.	Rawlins.
Dunlap.	Reagan.
Foster.	Rowell.
Gates.	Stout.
Jacks.	Sutton.
Johnson.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 17, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 29, A bill to be entitled "An Act to amend Article 1903, of Chapter 2, Title 40, of the Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 38, A bill to be entitled "An Act to amend Article 3654, of Chapter 26, Title 54, of the Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 41, A bill to be entitled "An Act to amend Article 3990, of Title 64, of the Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 47, A bill to be entitled "An Act to amend Article 6424, of Chapter 9, Title 112, of the Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 231, A bill to be entitled "An Act to authorize the judge of any district court, or other court having jurisdiction, to appoint a receiver or receivers for any defunct or disorganized church or congregation and authorize the management, sale or other disposition of any and all properties, real, personal, mixed and choses in action; and authorizing such court in such cases where such church or congregation may not in the judgment of such court be reorganized within reasonable time, to deliver such property or its proceeds to a church or congregation, a religious or governing body or other ecclesiastical head, or a State missionary society, of like faith and order, to be used or expended for the use of a church, churches, denomination or communion of like faith and order, and declaring an emergency."

H. B. No. 128, A bill to be entitled "An Act to provide for the examination, testing and reading of electric light, power, natural and artificial gas meters used by private concerns to determine the amount of power or gas used by their consumers, on complaint made by any of said consumers, in incorporated cities, towns or villages having a population of forty thousand (40,000) or less, within this State; said examination, testing and reading to be made by the agents of the city council or city commissioners in said cities, towns or villages on complaint being made as aforesaid to them by said consumers; and further providing for the making of reports to such complaining consumers as to results of said tests, reading and examination; providing a penalty for refusal to comply with any of the provisions of this act, and declaring an emergency."

H. B. No. 334, A bill to be entitled "An Act to amend Sections 2 and 3, Chapter 4, of the Acts of the Third Called Session of the Thirty-sixth Legislature, changing the date of holding the terms of the district court of the Twenty-ninth Judicial District of Texas, and make all process issued or served before this act takes effect, including recognizances and bonds, returnable to

the term of court in the several counties as herein fixed; to validate such process, recognizances and bonds, and to validate the summoning of grand and petit jurors; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 140, A bill to be entitled "An Act to permit applicants for writs of habeas corpus in all criminal cases where the maximum penalty for such offense does not exceed the punishment of confinement in the State penitentiary for more than ten years, when the relief prayed for by such applicant is denied by the judge or the court that applicant's petition is filed in a court of competent jurisdiction, and appeal is taken from such judgment or order of the trial court to the Court of Criminal Appeals of the State of Texas, such applicant may execute a good and sufficient bond, to be approved by the court or judge as now provided under provisions of Title 10 of the Code of Criminal Procedure of the State of Texas, 1925, and declaring an emergency," with Senate amendment.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE JOINT RESOLUTION NO. 4 ON SECOND READING.

The Speaker laid before the House, for consideration at this time,

H. J. R. No. 4, Proposing an amendment to Article 16 of the Constitution of the State of Texas, by the addition of a new section to said Article 16, to be numbered Section 65, providing legislative authority for the enactment of laws to encourage the conservation of the timber resources of the State, and for the reforestation of deforested lands; for the administration of such laws; for the time and manner of voting upon such proposed constitutional amendment; defining certain duties of the Governor in connection therewith; and making an appropriation to defray expenses of proclamation, publication and election.

The resolution was read second time and was passed to engrossment by the following vote:

Yeas—80.

Acker.
Alexander.
Barron.
Bass.
Beck.

Bird.
Brown.
Conway.
Cornwell.
Cox.

Daniel.	Powell.
Denman.	Purl.
Dielmann.	Renfro
Durham.	of Angelina.
Duvall.	Renfro of Mills.
Eickenroht.	Rogers of Hays.
Faulk.	Rogers of Shelby.
Fly.	Rowell.
Forbes.	Runge.
Gibson.	Sanders.
Gray.	Satterwhite.
Harding.	Shearer.
Harman.	Shirley.
Hefley.	Sinks.
Holland.	Smith of El Paso.
Hornaday.	Smith of Smith.
Johnson.	Smyth.
Jones.	Stevenson.
Kemble.	Storey.
Kennedy.	Stout.
Kenyon.	Sutton.
Kincaid.	Taylor.
King of Hopkins.	Teer.
Kinnear.	Tillotson.
Kirkland.	Van Zandt.
Lipscomb.	Veatch.
Loy.	Waddell.
Masterson.	Walker.
McCombs.	Wallace
McGill.	of Freestone.
Minor.	Wallace of Panola.
Moursund.	Wallace of Smith.
Nicholson.	Wells.
Parrish of Travis.	Williamson.
Poage.	Woodall.
Pool.	Woodruff.
Porter.	

Nays—40.

Albritton.	Murphy.
Barnett.	Nabors.
Bateman.	Olsen.
Black.	Parish of Runnels.
Boggs.	Pavlica.
Boon.	Pearce.
Cummings.	Pope.
Enderby.	Ramsey.
Farrar.	Sheats.
Finlay.	Smith of Nueces.
Gilbert.	Snelgrove.
Graves.	Swain.
Hagaman.	Turner.
Hall.	Ware.
High.	Wassell.
Jacks.	Webb.
Justice.	Whitaker.
King of	Williams
Throckmorton.	of Sabine.
Land.	Williams
Long.	of Travis.
Merritt.	

Present—Not Voting.

Simmons.

Absent.

Avis.

DeBerry.

Dunlap.	Montgomery.
Foster.	Morse.
Gates.	Rawlins.
Holder.	Reagan.
Kayton.	Young.
Loftin.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	

HOUSE JOINT RESOLUTION NO. 20
ON SECOND READING.

The Speaker laid before the House, for consideration at this time, the following resolution:

H. J. R. No. 20, Proposing an amendment to Section 2, Article 8, of the Constitution of the State, so as to authorize the Legislature to exempt from taxation any property owned by a church or by a strictly religious society devoted exclusively to use as a dwelling place for the ministry of such church or religious society, and which yields no revenue whatever to such church or religious society; providing for an election upon such proposed constitutional amendment, and making an appropriation therefor.

The resolution was read second time.

Mr. Fly offered the following (committee) amendments to the resolution:

(1)

Amend House joint resolution No. 20, Section 1, by striking out the words "devoted exclusively to use," and in lieu thereof insert the following words: "for the exclusive use."

(2)

Amend House joint resolution No. 20, Section 2, by striking out the words "13th day of November, 1928, being second Tuesday in said month," and in lieu thereof insert the following words: "first Tuesday after the first Monday in November, 1928."

(3)

Amend House joint resolution No. 20, Section 2, by striking out the words "devoted exclusively to use," in line 9 of Section 2, and insert the following words: "for the exclusive use."

(4)

Amend House joint resolution No. 20, Section 2, by striking out the words

"devoted exclusively to use," in line 14 of Section 2, and in lieu thereof insert the following words: "for the exclusive use."

The amendments were severally adopted.

Mr. Fly offered the following amendment to the resolution:

Amend caption to House joint resolution No. 20 by striking out the phrase "devoted exclusively to use" and insert in lieu thereof the following: "for the exclusive use."

The amendment was adopted.

Mr. Whitaker moved to table the resolution, and the motion to table was lost.

House joint resolution No. 20 was then passed to engrossment by the following vote:

Yeas—79.

Acker.	Murphy.
Albritton.	Nabors.
Bass.	Olsen.
Boggs.	Parrish of Travis.
Boon.	Pearce.
Brown.	Pope.
Conway.	Porter.
Cornwell.	Ramsey.
Cox.	Renfro
Daniel.	of Angelina.
Dielmann.	Renfro of Mills.
Dunlap.	Rogers.
Durham.	Sanders.
Duvall.	Shearer.
Enderby.	Sheats.
Eickenroht.	Shirley.
Finlay.	Simmons.
Fly.	Sinks.
Forbes.	Smith of El Paso.
Gibson.	Smith of Nueces.
Graves.	Snelgrove.
Gray.	Stevenson.
Hagaman.	Sutton.
Harman.	Taylor.
Holland.	Tillotson.
Jacks.	Van Zandt.
Johnson.	Veatch.
Jones.	Walker.
Justice.	Wallace of Panola.
Kemble.	Wallace of Smith.
Kennedy.	Ware.
Kincaid.	Wassell.
King of Hopkins.	Webb.
Kinnear.	Wells.
Kirkland.	Williams
Land.	of Sabine.
Loy.	Williams
Masterson.	of Travis.
McCombs.	Williamson.
Minor.	Woodall.
Montgomery.	Woodruff.

Nays—35.

Alexander. Barnett.

Bateman.	Poage.
Bird.	Pool.
Black.	Powell.
Faulk.	Purl.
Hall.	Rogers of Shelby.
Harding.	Rowell.
Hefley.	Runge.
High.	Satterwhite.
Kenyon.	Smith of Smith.
King of	Smyth.
Throckmorton.	Storey.
Long.	Stout.
McGill.	Turner.
Merritt.	Waddell.
Moursund.	Wallace
Nicholson.	of Freestone.
Parish of Runnels.	Whitaker.
Pavlica.	

Present—Not Voting.

Denman.	Hornaday.
Holder.	

Absent.

Avis.	Kayton.
Barron.	Lipscomb.
Beck.	Loftin.
Cummings.	Morse.
DeBerry.	Rawlins.
Farrar.	Reagan.
Foster.	Swain.
Gates.	Teer.
Gilbert.	Young.

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	

BILLS AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 78, "An Act fixing in counties having a population of one hundred and fifty thousand inhabitants, the compensation of district attorneys and providing for the appointment of assistant district attorneys, investigators, stenographers, grand jury bailiffs, deputies and other employes, and providing for their salaries and the manner of their payment, and providing for the duties and authority of investigators, and providing for the purchase, operation and maintenance of automobiles, and repealing all laws in conflict herewith with exceptions, and declaring an emergency."

S. B. No. 22, "An Act to amend Article 3742 of the Revised Civil Statutes of 1925, providing for the perpetuation of testimony, so as to include as a part of said Article 3742 applications or petitions for the probate of wills, within the meaning of the word 'suit' as used in said article, and to provide the mode and manner of service of notice on the application or statement of the party desiring to perpetuate testimony for use in an anticipated application or petition for the probate of a will, and declaring an emergency."

H. B. No. 147, "An Act to amend Article 2249 of the Revised Civil Statutes of Texas, 1925, adopted at the Regular Session of the Thirty-ninth Legislature, so as to repeal that portion of said article allowing an appeal to the Court of Civil Appeals from every order of any district or county court in civil cases; granting motions for new trials, and declaring an emergency."

H. B. No. 57, "An Act to amend Articles 2238, 2239 and 2240, of the Revised Civil Statutes of Texas of 1925, by adding Articles 2242a and 2241b, providing that if appellant or his attorney delivers bills of exceptions and statements of fact to appellee or his attorney, and same are not returned to the appellant or his attorney, approved or disapproved within ten days after same have been delivered to him, the judge of the trial court shall thereupon, on proof being offered by appellant or his attorney that ten days or more have elapsed and that said bills of exceptions and statements of fact have not been returned to appellant or his attorney, make out and file proper bills of exceptions and statement of facts."

H. C. R. No. 22, Relating to emergency army officers.

RELATING TO AMENDING CERTAIN HOUSE RULES.

The Speaker laid before the House, for consideration at this time, the following resolution:

House concurrent resolution No. 23, Amending certain House rules, the resolution having heretofore been read second time.

Question recurring on the resolution, it was adopted.

HOUSE JOINT RESOLUTION NO. 25 ON SECOND READING.

The Speaker laid before the House, for consideration at this time, the following resolution:

H. J. R. No. 25, To amend Article 8 of the Constitution by adding thereto Section 1a, providing that the sources of income derived from taxation may be divided, in whole or in part, so that there may be a different source of taxation for the maintenance of the State government and the maintenance and expenses of the political divisions of the State; also that there may be different rates of taxation and different classes of property; also that the State may make provision for the payment of interest and sinking fund charges on bonds where taxes have been remitted to pay such charges and where such remission of taxes may become insufficient to meet such charges.

The resolution was read second time.

Mr. Fly offered the following (committee) amendment to the resolution:

Amend House joint resolution No. 25 by substituting for Section 1-A the following:

"Section 1-A. The system of taxation provided for by existing statutes and the Constitution prior to the adoption of this amendment may be retained, and additional measures, for the raising of revenues for the support of the government, not in conflict with the provisions of the Constitution, may be adopted. The Legislature, as a substitute for the system of taxation provided for by existing statutes and the Constitution prior to the adoption of this amendment, may pass laws separating the subjects of taxation for the support of the State government, and for the support of the counties, districts and political subdivisions of the State and counties. This power shall extend to authorize the passage of laws to provide for an ad valorem tax, to be retained either in whole or in part by the counties, districts and political subdivisions of the State and counties for their own support; and to provide for the support of the State government, either in whole or in part, from other sources of revenue, including a tax on intangible property, and on privileges derived from the State, to be levied and collected as the Legislature may direct.

"The power conferred upon the Legislature by this provision may be exercised to substitute another system of taxation for that existing at the time of the submission of this amendment, or it may be exercised by the Legislature as power cumulative of the powers of the Legislature relative to taxation under the Constitution as such powers existed at the time of the submission

of this amendment. Whenever the Constitution, or statutes provided for the levy of an ad valorem tax for a specific purpose, the Legislature shall have the authority to substitute a tax from some other source to provide therefor.

"All taxes shall be equal and uniform on the same class of property, privileges and occupations, but upon different classes different rates may be imposed and collected according to the classification as the Legislature may direct."

Mr. Stevenson offered the following amendment to the amendment:

Amend House joint resolution No. 25, page 3, line 11, by striking out the words "an ad valorem tax," and insert in lieu thereof "ad valorem taxes."

The amendment was adopted.

Mr. Stevenson offered the following amendment to the amendment:

Amend House joint resolution No. 25 by striking out on page 3, lines 29 to 32, inclusive, and insert in lieu thereof the following: "Authority is hereby conferred upon the Legislature to classify, for purposes of taxation, all property, tangible and intangible, and all occupations, and all privileges derived from the State. Taxation shall be equal and uniform upon all such property, occupations and privileges of the same class; provided, that upon those coming within the different classes different rates may be imposed as the Legislature may direct. Nothing herein shall be construed as authorizing the Legislature to increase the ad valorem rates of taxation above such rates that might have been imposed under the Constitution prior to the adoption of this amendment; nor shall the Legislature be permitted to impose any tax upon property specifically exempted by any provision of the Constitution prior to the adoption of this amendment."

The amendment was adopted.

The (committee) amendment as amended, was then adopted.

Mr. Fly offered the following (committee) amendment to the resolution:

Amend House joint resolution No. 25, Section 2, third line after the word "the" by inserting "ninth," and after the word "of" same line "July."

The amendment was adopted.

Mr. Fly offered the following (committee) amendment to the resolution:

Amend House joint resolution No. 25 by substituting for the caption the following:

"A joint resolution proposing an

amendment of the Constitution providing for the separation of the subjects of taxation for the support of the State government and for the support of the counties, districts and political subdivisions of the State and counties; authorizing laws so that counties, districts and political subdivisions of the State and counties may be supported in whole or in part by an ad valorem tax, and the State government in whole or in part by other sources of revenue; providing the powers given the Legislature may be exercised to substitute another system of taxation, or may be exercised as cumulative of powers already existing relative to taxation; permitting the substitution of some other tax where an ad valorem tax is levied for a specific purpose; and providing taxes shall be equal and uniform on the same class of property, privileges and occupations."

Mr. Stevenson offered the following substitute for the amendment:

Amend House joint resolution No. 25 by substituting for the caption the following:

"A joint resolution proposing an amendment of the Constitution providing for the separation of the subjects of taxation for the support of the State government and for the support of the counties, districts and political subdivisions of the State and counties; authorizing laws so that counties, districts and political subdivisions of the State and counties may be supported in whole or in part by an ad valorem tax, and the State government in whole or in part by other sources of revenue; providing the powers given the Legislature may be exercised to substitute another system of taxation, or may be exercised as cumulative of powers already existing relative to taxation; permitting the substitution of some other tax where an ad valorem tax is levied for a specific purpose; providing taxes shall be equal and uniform on the same class of property, privileges and occupations; limiting the rates of the ad valorem tax provided for herein; prohibiting a tax on certain property already specifically exempted; providing for the submission of this amendment to the people for ratification, and making an appropriation to pay therefor."

The substitute amendment was adopted.

The amendment as substituted was then adopted.

House joint resolution No. 25 was then passed by the following vote:

Yeas—110.

Mr. Speaker.	Nabors.
Acker.	Nicholson.
Albritton.	Parrish of Travis.
Anderson.	Pavlica.
Avis.	Pearce.
Barnett.	Pool.
Bass.	Pope.
Bateman.	Porter.
Bird.	Powell.
Black.	Purl.
Boggs.	Ramsey.
Boon.	Reagan.
Brown.	Renfro
Conway.	of Angelina.
Cornwell.	Renfro of Mills.
Cox.	Rogers of Hays.
Cummings.	Rogers of Shelby.
Denman.	Rowell.
Dielmann.	Runge.
Durham.	Satterwhite.
Enderby.	Shearer.
Eickenroht.	Sheats.
Farrar.	Shirley.
Faulk.	Simmons.
Finlay.	Sinks.
Fly.	Smith of El Paso.
Forbes.	Smith of Nueces.
Graves.	Smith of Smith.
Gray.	Snelgrove.
Hagaman.	Stevenson.
Hall.	Storey.
Harding.	Stout.
Harman.	Sutton.
Hefley.	Swain.
High.	Taylor.
Holland.	Teer.
Hornaday.	Turner.
Jacks.	Van Zandt.
Johnson.	Veatch.
Justice.	Waddell.
Kemble.	Walker.
Kennedy.	Wallace
Kincaid.	of Freestone.
King of Hopkins.	Wallace of Panola.
King of	Wallace of Smith.
Throckmorton.	Ware.
Kinnear.	Wassell.
Long.	Wells.
Loy.	Whitaker.
Masterson.	Williams
McCombs.	of Sabine.
McGill.	Williams
Merritt.	of Travis.
Minor.	Williamson.
Montgomery.	Woodall.
Moursund.	Young.
Murphy.	

Nays—6.

Jones.	Land.
Kenyon.	Olsen.
Kirkland.	Tillotson.

Present—Not Voting.

Daniel.

Absent.

Barron.	Lipscomb.
Beck.	Loftin.
DeBerry.	Morse.
Dunlap.	Parish of Runnels.
Duvall.	Poage.
Foster.	Rawlins.
Gates.	Sanders.
Gibson.	Smyth.
Gilbert.	Webb.
Holder.	Woodruff.
Kayton.	

Absent—Excused.

Alexander.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	

HOUSE JOINT RESOLUTION NO. 26
ON SECOND READING.

The Speaker laid before the House, for consideration at this time,

H. J. R. No. 26, Proposing an amendment to the Constitution of the State of Texas, making available for the public highways all gasoline occupation taxes and making available for the public free schools all occupation taxes based on production of oil or petroleum.

The resolution was read second time.

Mr. Fly offered the following (committee) amendments to the resolution:

(1)

Amend House joint resolution No. 26, Section 3b, third line from bottom, by inserting after the word "petroleum" the following: "and all other minerals."

(2)

Amend House joint resolution No. 26, Section 3b, third line from bottom, by striking out the word "annually."

(3)

Amend House joint resolution No. 26, Section 3b, by striking out all after the word "schools," in second line from bottom.

(4)

Amend caption of House joint resolution No. 26 by adding after the word "petroleum," in line 11, page 1, "and other minerals."

The amendments were severally adopted.

(Mr. Satterwhite in the chair.)

House joint resolution No. 26 was then finally passed by the following vote:

Yeas—102.

Acker.	Parish of Runnels.
Alexander.	Parrish of Travis.
Avis.	Pearce.
Barnett.	Poage.
Bass.	Pool.
Bird.	Pope.
Black.	Porter.
Boggs.	Powell.
Boon.	Ramsey.
Brown.	Reagan.
Conway.	Rogers of Hays.
Cornwell.	Rogers of Shelby.
Cox.	Rowell.
Cummings.	Runge.
Daniel.	Sanders.
Denman.	Satterwhite.
Dielmann.	Shearer.
Durham.	Sheats.
Enderby.	Shirley.
Farrar.	Simmons.
Faulk.	Sinks.
Finlay.	Smith of El Paso.
Fly.	Smith of Nueces.
Gibson.	Smith of Smith.
Graves.	Smyth.
Gray.	Snelgrove.
Hagaman.	Stevenson.
Harding.	Storey.
Harman.	Stout.
Hefley.	Sutton.
High.	Swain.
Holder.	Taylor.
Holland.	Teer.
Hornaday.	Turner.
Jacks.	Van Zandt.
Johnson.	Veatch.
Jones.	Waddell.
Kemble.	Wallace
Kennedy.	of Freestone.
Kenyon.	Wallace of Panola.
Kincaid.	Wallace of Smith.
King of Hopkins.	Wassell.
Kinnear.	Webb.
Kirkland.	Wells.
Lipscomb.	Whitaker.
Loy.	Williams
Masterson.	of Sabine
McCombs.	Williams
McGill.	of Travis.
Montgomery.	Williamson.
Moursund.	Woodall.
Murphy.	Woodruff.
Nabors.	

Nays—14.

Bateman.	Olsen.
Forbes.	Pavlica.
Hall.	Purl.
King of	Renfro of Mills.
Throckmorton.	Tillotson.
Land.	Walker.
Merritt.	Ware.
Nicholson.	

Absent.

Albritton.	Justice.
Barron.	Kayton.
Beck.	Loftin.
DeBerry.	Long.
Dunlap.	Minor.
Duvall.	Morse.
Eickenroht.	Rawlins.
Foster.	Renfro
Gates.	of Angelina.
Gilbert.	Young.

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	

SENATE BILL NO. 54 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 54, A bill to be entitled "An Act relating to appointment and fixing the salaries of county auditors, and declaring an emergency."

The bill was read second time.

Mr. Masterson offered the following amendments to the bill:

(1)

Amend Senate bill No. 54 by striking out the word "fifteen," in line 28, and insert in lieu thereof the word "forty."

(2)

Amend Senate bill No. 54 by striking out the words and figures "thirty-six hundred dollars (\$3,600)" and inserting in lieu thereof the words and figures "twenty-four hundred dollars (\$2,400)."

The amendments were severally adopted.

Mr. Finlay offered the following amendment to the bill:

Amend Senate bill No. 54 by striking out the words and figures "one hundred seventy-five (\$175)," in line 34 of page 1, and insert in lieu thereof the words and figures "one hundred twenty-five (\$125)."

The amendment was adopted.

Senate bill No. 54 was then passed to third reading.

SENATE BILL NO. 69 ON SECOND READING.

The Speaker laid before the House,

on its second reading and passage to third reading,

S. B. No. 69, A bill to be entitled "An Act authorizing the Commissioner of Agriculture to establish, maintain and enforce quarantine regulations to protect the agricultural and horticultural interests of this State against infestation by insect pests and plant diseases; to prohibit or restrict the sale and transportation of such plants and plant products as are known to carry insect pests and plant diseases; to have full power to deal with dangerous fruit and crop pests and plant diseases in such manner as may be necessary to carry into effect provisions of this act; to have authority to declare 'pest free' zones; providing for hearings to be held by the chief entomologist of the Department of Agriculture and others that may be designated; providing for due notice for such hearings and reports of the proceedings had; providing for appeal from the decision of the Commissioner of Agriculture; providing for declaration of 'control' or 'eradication' zones by the Commissioner of Agriculture upon recommendation of the commissioners court of any county in this State; making it the duty of the Commissioner of Agriculture to cause an investigation to be made of the existence or non-existence of any pest in an area when called upon by the commissioners court; providing for the commissioners court to hold hearings and to make report to the Commissioner of Agriculture of its conclusions; authorizing the commissioners court to appropriate moneys to carry into effect the provisions of this act; providing for the examination and licensing of persons offering themselves as experts for hire to do tree pruning, spraying, fertilizing, budding, grove supervision, tree surgery or treatment of diseased trees or orchards; providing that this act shall be cumulative of all laws now on the statute books; providing penalties, and declaring an emergency."

The bill was read second time.

Mr. Bass offered the following amendment to the bill:

Amend Senate bill No. 69 by striking out Section 1 and substituting therefor the following:

"If the Commissioner of Agriculture of this State; hereinafter called the 'Commissioner,' determines the fact, as provided in Section 3 hereof, that any dangerous insect pest or plant disease new to and not heretofore widely distributed in this State exists outside of

Texas, or if such pest be introduced into this State, he is hereby authorized and it is made his duty to establish, maintain and enforce a quarantine against such infested area and shall prevent the movement from such quarantined areas into areas in this State not infested of any such plants and plant products as are liable to disseminate the pest under consideration. If such plant or plant products as shall be quarantined, as provided for herein, can be so disinfected or treated as to not endanger the agricultural interests of this State, then the Commissioner shall promulgate rules and regulations governing such disinfection or treatment before allowing such products to be shipped out of such quarantined area. The Commissioner shall have authority and it is hereby made his duty to promulgate rules and regulations governing the inspection and certification of seed beds or propagation grounds where plants are produced for sale and transplanting, when such plants as may be produced and offered for sale are known carriers of the sweet potato weevil, nematode gall worms or any dangerous fungus or bacterial disease of valuable agricultural or horticultural products. As soon as practicable after the passage of this act he shall publish a list of such plants, and thereafter it shall be unlawful for any person or persons to transport or sell any such plants that may be infested with sweet potato weevil, nematode gall worms or dangerous fungus or bacterial disease of valuable agricultural and horticultural crops."

On motion of Mr. Bass, further consideration of the bill was postponed until 11 o'clock a. m. next Wednesday.

SENATE BILL NO. 126 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 126, A bill to be entitled "An Act to make effective the provisions of Section 5, Article 5, of the Constitution of the State of Texas, wherein it is declared that under such regulations as may be prescribed by law, the Court of Criminal Appeals and the judges thereof may issue such writs as may be necessary to enforce the jurisdiction of said court, and to empower said court and the judges thereof to issue writs of mandamus and certiorari, and to enforce obedience thereof, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 126 ON THIRD READING.

Mr. Stout moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 126 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Acker.	Olsen.
Alexander.	Parish of Runnels.
Avis.	Parrish of Travis.
Barnett.	Pavlica.
Bass.	Pearce.
Bateman.	Poage.
Bird.	Pope.
Black.	Powell.
Boggs.	Purl.
Boon.	Ramsey.
Brown.	Rawlins.
Conway.	Renfro
Cornwell.	of Angelina.
Cox.	Renfro of Mills.
Cummings.	Rogers of Hays.
Daniel.	Rogers of Shelby.
Durham.	Rowell.
Enderby.	Runge.
Farrar.	Sanders.
Faulk.	Satterwhite.
Finlay.	Shearer.
Fly.	Sheats.
Forbes.	Shirley.
Gibson.	Sinks.
Gilbert.	Smith of El Paso.
Graves.	Smyth.
Gray.	Snelgrove.
Hagaman.	Stevenson.
Hall.	Storey.
Harding.	Stout.
Hefley.	Swain.
High.	Taylor.
Holder.	Teer.
Holland.	Turner.
Hornaday.	Van Zandt.
Jacks.	Veatch.
Justice.	Waddell.
Kennedy.	Walker.
Kenyon.	Wallace
King of Hopkins.	of Freestone.
Kirkland.	Wallace of Panola.
Land.	Wallace of Smith.
Masterson.	Ware.
McCombs.	Wassell.
McGill.	Webb.
Merritt.	Williams
Minor.	of Sabine.
Morse.	Williams
Moursund.	of Travis.
Murphy.	Woodall.
Nabors.	Woodruff.
Nicholson.	Young.

Nays—2.

Albritton.

Whitaker.

Present—Not Voting.

Kincaid.

Absent.

Barron.
Beck.
DeBerry.
Denman.
Dielmann.
Dunlap.
Duvall.
Eickenroht.
Foster.
Gates.
Harman.
Johnson.
Jones.
Kayton.
Kemble.
King of
Throckmorton.

Kinnear.
Lipscomb.
Loftin.
Long.
Loy.
Montgomery.
Pool.
Porter.
Reagan.
Simmons.
Smith of Nueces.
Smith of Smith.
Sutton.
Wells.
Williamson.

Absent—Excused.

Anderson.
Bonham.
Branch.
Davis.
Fuchs.
Kirby.

McKean.
Petsch.
Shaver.
Smith of Atascosa.
Stell.
Tillotson.

The Speaker then laid Senate bill No. 126 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Acker.
Albritton.
Alexander.
Avis.
Barnett.
Bass.
Bateman.
Bird.
Black.
Boggs.
Boon.
Brown.
Conway.
Cornwell.
Cox.
Cummings.
Daniel.
Dielmann.
Eickenroht.
Farrar.
Faulk.
Finlay.
Fly.

Forbes.
Gibson.
Gilbert.
Graves.
Gray.
Hagaman.
Hall.
Harding.
Hefley.
High.
Holder.
Holland.
Hornaday.
Jacks.
Johnson.
Justice.
Kennedy.
Kenyon.
King of Hopkins.
Kirkland.
Land.
Masterson.
McCombs.

McGill.	Sinks.
Merritt.	Smith of El Paso.
Minor.	Smith of Nueces.
Morse.	Smyth.
Moursund.	Snelgrove.
Murphy.	Storey.
Nabors.	Stout.
Nicholson.	Swain.
Olsen.	Taylor.
Parish of Runnels.	Teer.
Parrish of Travis.	Turner.
Pavlica.	Van Zandt.
Pearce.	Veatch.
Poage.	Waddell.
Pool.	Walker.
Pope.	Wallace
Powell.	of Freestone.
Purl.	Wallace of Panola.
Ramsey.	Wallace of Smith.
Rawlins.	Ware.
Renfro	Wassell.
of Angelina.	Webb.
Renfro of Mills.	Whitaker.
Rogers of Hays.	Williams
Rogers of Shelby.	of Sabine
Rowell.	Williams
Runge.	of Travis.
Sanders.	Woodall.
Shearer.	Woodruff.
Sheats.	Young.
Simmons.	

Present—Not Voting.

Kincaid.

Absent.

Barron.	Kinnear.
Beck.	Lipscomb.
DeBerry.	Loftin.
Denman.	Long.
Dunlap.	Loy.
Durham.	Montgomery.
Duvall.	Porter.
Enderby.	Reagan.
Foster.	Satterwhite.
Gates.	Shirley.
Harman.	Smith of Smith.
Jones.	Stevenson.
Kayton.	Sutton.
Kemble.	Wells.
King of	Williamson.
Throckmorton.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

SENATE BILL NO. 102 ON PASSAGE TO THIRD READING.

The Speaker laid before the House, as postponed business, on its passage to third reading,

S. B. No. 102, A bill to be entitled "An Act authorizing the district attorney of the criminal district court for the counties of Nueces, Kleberg, Willacy and Cameron to appoint assistant district attorneys and investigators; providing for their salaries; prescribing their qualifications and duties, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Hornaday pending.

Question recurring on the amendment by Mr. Hornaday, it was adopted.

Mr. Hornaday offered the following amendment to the bill:

Amend the caption of Senate bill No. 102 by striking out all above the enacting clause and insert in lieu thereof the following:

"S. B. No. 102, A bill to be entitled 'An Act authorizing the district attorney of any criminal district court for more than one county to appoint assistant district attorneys and investigators in certain counties; providing for their salaries; prescribing their qualifications and duties, and declaring an emergency.'"

The amendment was adopted.

Senate bill No. 102 was then passed to third reading.

SENATE BILL NO. 102 ON THIRD READING.

Mr. Hornaday moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 102 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Alexander.	Gibson.
Avis.	Gilbert.
Barron.	Graves.
Bateman.	Gray.
Bird.	Hagaman.
Black.	Hall.
Boggs.	Harding.
Boon.	Hefley.
Brown.	High.
Conway.	Holder.
Cornwell.	Hornaday.
Cox.	Jacks.
Cummings.	Johnson.
Daniel.	Jones.
Duvall.	Kennedy.
Enderby.	Kenyon.
Farrar.	Kincaid.
Faulk.	King of Hopkins.
Finlay.	Kinnear.
Forbes.	Kirkland.

Land.	Shearer.
Lipscomb.	Sheats.
Loftin.	Shirley.
Masterson.	Simmons.
McGill.	Sinks.
Minor.	Smith of El Paso.
Montgomery.	Smith of Nueces.
Morse.	Snelgrove.
Moursund.	Storey.
Murphy.	Stout.
Nabors.	Swain.
Nicholson.	Taylor.
Olsen.	Teer.
Parish of Runnels.	Turner.
Parrish of Travis.	Van Zandt.
Pavlica.	Veatch.
Pearce.	Waddell.
Poage.	Walker.
Pool.	Wallace
Pope.	of Freestone.
Porter.	Wallace of Panola.
Powell.	Wallace of Smith.
Purl.	Ware.
Ramsey.	Wassell.
Rawlins.	Webb.
Renfro	Wells.
of Angelina.	Whitaker.
Renfro of Mills.	Williams
Rogers of Hays.	of Sabine.
Rogers of Shelby.	Williams
Rowell.	of Travis.
Runge.	Woodall.
Sanders.	Woodruff.
Satterwhite.	Young.

Nays—3.

Albritton.	Loy.
Eickenroht.	

Present—Not Voting.

Justice.

Absent.

Acker.	Kayton.
Barnett.	Kemble.
Bass.	King of
Beck.	Throckmorton.
DeBerry.	Long.
Denman.	McCombs.
Dielmann.	Merritt.
Dunlap.	Reagan.
Durham.	Smith of Smith.
Fly.	Smyth.
Foster.	Stevenson.
Gates.	Sutton.
Harman.	Williamson.
Holland.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

The Speaker then laid Senate bill No. 102 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Acker.	Nicholson.
Albritton.	Olsen.
Alexander.	Parish of Runnels.
Avis.	Parrish of Travis.
Barnett.	Pavlica.
Bateman.	Pearce.
Bird.	Poage.
Black.	Pope.
Boggs.	Porter.
Boon.	Powell.
Brown.	Purl.
Conway.	Ramsey.
Cornwell.	Rawlins.
Cox.	Renfro
Cummings.	of Angelina.
Daniel.	Renfro of Mills.
Enderby.	Rogers of Hays.
Eickenroht.	Rogers of Shelby.
Farrar.	Rowell.
Faulk.	Runge.
Finlay.	Sanders.
Fly.	Satterwhite.
Forbes.	Shearer.
Gibson.	Sheats.
Gilbert.	Simmons.
Graves.	Sinks.
Hagaman.	Smith of El Paso.
Hall.	Smith of Nueces.
Harding.	Snelgrove.
Hefley.	Storey.
High.	Stout.
Holder.	Swain.
Holland.	Taylor.
Hornaday.	Teer.
Jacks.	Turner.
Johnson.	Van Zandt.
Jones.	Veatch.
Kennedy.	Waddell.
Kenyon.	Walker.
Kincaid.	Wallace
King of Hopkins.	of Freestone.
King of	Wallace of Panola.
Throckmorton.	Wallace of Smith.
Kirkland.	Ware.
Land.	Webb.
Loy.	Wells.
Masterson.	Whitaker.
McGill.	Williams
Merritt.	of Sabine.
Minor.	Williams
Montgomery.	of Travis.
Morse.	Woodall.
Moursund.	Woodruff.
Murphy.	Young.
Nabors.	

Nays—1.

Justice.

Absent.

Barron.	Kinnear.
Bass.	Lipscomb.
Beck.	Loftin.
DeBerry.	Long.
Denman.	McCombs.
Dielmann.	Pool.
Dunlap.	Reagan.
Durham.	Shirley.
Duvall.	Smith of Smith.
Foster.	Smyth.
Gates.	Stevenson.
Gray.	Sutton.
Harman.	Wassell.
Kayton.	Williamson.
Kemble.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

HOUSE BILL NO. 256 ON SECOND
READING.

On motion of Mr. Cornwell, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 256, A bill to be entitled "An Act repealing Chapter 15 of the Special Laws of the Thirty-seventh Legislature, entitled 'An Act creating a more efficient road system for Hardin county, Texas; providing that each commissioner of the same shall be ex-officio road commissioner of his precinct; providing for an inspection of roads, bridges and culverts by said commissioner; providing for bonds, compensation and duties, and providing for the work of delinquent poll tax payers on the public roads and accepting certain compensation in lieu of road work; providing that the commissioners court shall have power to build roads, bridges, culverts, etc., by private contract; providing that the commissioners court may employ a superintendent who shall be an experienced civil engineer in road building; providing penalties for the violation of this act, and this act shall be cumulative of all general laws of this State not in conflict herewith,' etc.

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

Mr. Wells moved a call of the House for the purpose of maintaining a quorum until 5:15 o'clock p. m. today, and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Wells, the Sergeant-at-Arms was instructed to bring in all absentee members within the Capitol.

HOUSE BILL NO. 256 ON THIRD
READING.

Mr. Cornwell moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 256 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Acker.	King of
Alexander.	Throckmorton.
Avis.	Kinnear.
Barnett.	Kirkland.
Bass.	Land.
Bateman.	Lipscomb.
Bird.	Long.
Black.	Masterson.
Boggs.	McGill.
Boon.	Merritt.
Conway.	Minor.
Cornwell.	Montgomery.
Cox.	Morse.
Cummings.	Moursund.
Daniel.	Murphy.
Duvall.	Nabors.
Enderby.	Parish of Runnels.
Farrar.	Parrish of Travis.
Faulk.	Pavlica.
Finlay.	Pearce.
Fly.	Poage.
Forbes.	Pope.
Gibson.	Powell.
Gilbert.	Purl.
Graves.	Ramsey.
Gray.	Rawlins.
Hagaman.	Renfro
Hall.	of Angelina.
Harding.	Renfro of Mills.
Harman.	Rogers of Hays.
Hefley.	Rogers of Shelby.
High.	Rowell.
Holder.	Runge.
Holland.	Sanders.
Hornaday.	Shearer.
Johnson.	Sheats.
Jones.	Shirley.
Justice.	Simmons.
Kennedy.	Sinks.
Kenyon.	Smith of El Paso.
Kincaid.	Snelgrove.
King of Hopkins.	Stevenson.

Storey.	Wallace of Smith.
Stout.	Ware.
Swain.	Wassell.
Taylor.	Webb.
Teer.	Wells.
Turner.	Williams
Van Zandt.	of Sabine.
Veatch.	Williams
Waddell.	of Travis.
Walker.	Woodall.
Wallace of Panola.	Woodruff.

Nays—4.

Albritton.	Loftin.
Eickenroht.	Whitaker.

Absent.

Barron.	Nicholson.
Beck.	Olsen.
Brown.	Pool.
DeBerry.	Porter.
Denman.	Reagan.
Dielmann.	Satterwhite.
Dunlap.	Smith of Nueces.
Durham.	Smith of Smith.
Foster.	Smyth.
Gates.	Sutton.
Jacks.	Wallace
Kayton.	of Freestone.
Kemble.	Williamson.
Loy.	Young.
McCombs.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

The Speaker then laid House bill No. 256 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Albritton.	Duvall.
Alexander.	Enderby.
Avis.	Farrar.
Barnett.	Faulk.
Bass.	Finlay.
Bateman.	Fly.
Bird.	Forbes.
Black.	Gibson.
Boggs.	Gilbert.
Boon.	Graves.
Brown.	Gray.
Conway.	Hall.
Cornwell.	Harding.
Cox.	Harman.
Cummings.	Hefley.
Daniel.	High.

Holder.	Renfro
Holland.	of Angelina.
Hornaday.	Renfro of Mills.
Jacks.	Rogers of Shelby.
Johnson.	Rowell.
Jones.	Runge.
Justice.	Sanders.
Kennedy.	Satterwhite.
Kenyon.	Shearer.
Kincaid.	Sheats.
King of Hopkins.	Shirley.
Kinnear.	Simmons.
Kirkland.	Smith of El Paso.
Land.	Snelgrove.
Long.	Stevenson.
Masterson.	Storey.
McGill.	Stout.
Merritt.	Swain.
Minor.	Taylor.
Montgomery.	Turner.
Morse.	Van Zandt.
Moursund.	Veatch.
Murphy.	Waddell.
Nabors.	Walker.
Nicholson.	Wallace
Olsen.	of Freestone.
Parish of Runnels.	Wallace of Smith.
Parrish of Travis.	Ware.
Pavlica.	Wassell.
Pearce.	Webb.
Poage.	Wells.
Pool.	Whitaker.
Pope.	Williams
Porter.	of Sabine.
Powell.	Williams
Ramsey.	of Travis.
Rawlins.	Woodall.
	Woodruff.

Nays—1.

Eickenroht.

Absent.

Acker.	Loftin.
Barron.	Loy.
Beck.	McCombs.
DeBerry.	Purl.
Denman.	Reagan.
Dielmann.	Rogers of Hays.
Dunlap.	Sinks.
Durham.	Smith of Nueces.
Foster.	Smith of Smith.
Gates.	Smyth.
Hagaman.	Sutton.
Kayton.	Teer.
Kemble.	Wallace of Panola.
King of	Williamson.
Throckmorton.	Young.
Lipscomb.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

HOUSE BILL NO. 524 ON SECOND
READING.

On motion of Mr. Kennedy, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 524, A bill to be entitled "An Act repealing Chapter 43 of the Local and Special Laws of the First Called Session of the Thirty-ninth Legislature, creating the Rosebud Independent School District in Falls county."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 524 ON THIRD
READING.

Mr. Kennedy moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 524 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96.

Mr. Speaker.	Kemble.
Alexander.	Kennedy.
Avis.	Kenyon.
Barnett.	King of Hopkins.
Bass.	King of
Bateman.	Throckmorton.
Bird.	Kinnear.
Black.	Kirkland.
Boggs.	Land.
Boon.	Loftin.
Brown.	Masterson.
Conway.	McGill.
Cornwell.	Merritt.
Cox.	Minor.
Cummings.	Montgomery.
Daniel.	Morse.
Dielmann.	Moursund.
Duvall.	Murphy.
Farrar.	Nabors.
Faulk.	Nicholson.
Finlay.	Olsen.
Fly.	Parish of Runnels.
Forbes.	Pavlica.
Gates.	Pearce.
Gilbert.	Pope.
Graves.	Powell.
Gray.	Purl.
Hagaman.	Ramsey.
Hall.	Rawlins.
Harding.	Renfro
Hefley.	of Angelina.
High.	Renfro of Mills.
Holder.	Rogers of Hays.
Holland.	Rogers of Shelby.
Hornaday.	Runge.
Jacks.	Sanders.
Jones.	Satterwhite.
Justice.	Shearer.

Sheats.	Turner.
Shirley.	Van Zandt.
Simmons.	Veatch.
Sinks.	Walker.
Smith of El Paso.	Wallace of Smith.
Smith of Nueces.	Wassell.
Smith of Smith.	Wells.
Smyth.	Williams
Snelgrove.	of Sabine
Storey.	Woodall.
Swain.	Young.
Taylor.	

Nays—15.

Albritton.	Wallace
Eickenroht.	of Freestone.
Gibson.	Wallace of Panola.
Kincaid.	Ware.
Long.	Whitaker.
McCombs.	Williams
Poage.	of Travis.
Porter.	Woodruff.
Rowell.	

Present—Not Voting.

Stout.

Absent.

Acker.	Lipscomb.
Barron.	Loy.
Beck.	Parrish of Travis.
DeBerry.	Pool.
Denman.	Reagan.
Dunlap.	Stevenson.
Durham.	Sutton.
Enderby.	Teer.
Foster.	Waddell.
Harman.	Webb.
Johnson.	Williamson.
Kayton.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

The Speaker then laid House bill No. 524 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—65.

Mr. Speaker.	Cornwell.
Albritton.	Cox.
Avis.	Enderby.
Barnett.	Eickenroht.
Bass.	Farrar.
Bird.	Faulk.
Black.	Finlay.
Boggs.	Forbes.
Boon.	Gates.
Conway.	Gilbert.

Graves.	Renfro
Gray.	of Angelina.
Hagaman.	Rogers of Hays.
Hall.	Rogers of Shelby.
Hefley.	Sanders.
Jacks.	Sheats.
Justice.	Shirley.
Kennedy.	Simmons.
King of Hopkins.	Sinks.
King of	Smith of El Paso.
Throckmorton.	Smith of Nueces.
Land.	Snelgrove.
Loy.	Stevenson.
Masterson.	Swain.
McGill.	Turner.
Merritt.	Van Zandt.
Murphy.	Veatch.
Nabors.	Ware.
Olsen.	Webb.
Parish of Runnels.	Whitaker.
Pavlica.	Williams
Pearce.	of Sabine
Pope.	Woodall.
Ramsey.	Young.

Nays—15.

Brown.	Powell.
Gibson.	Rowell.
Lipscomb.	Shearer.
Long.	Smith of Smith.
Parrish of Travis.	Teer.
Poage.	Wallace of Panola.
Pool.	Woodruff.
Porter.	

Present—Not Voting.

Alexander.	Morse.
Bateman.	Moursund.
Beck.	Purl.
Cummings.	Rawlins.
Daniel.	Renfro of Mills.
Dielmann.	Runge.
Duvall.	Satterwhite.
Fly.	Smyth.
High.	Storey.
Holder.	Stout.
Holland.	Taylor.
Hornaday.	Waddell.
Johnson.	Walker.
Jones.	Wallace
Kemble.	of Freestone.
Kenyon.	Wallace of Smith.
Kincaid.	Wassell.
Kinnear.	Wells.
Kirkland.	Williams
Loftin.	of Travis.
McCombs.	Williamson.
Minor.	

Absent.

Acker.	Harding.
Barron.	Harman.
DeBerry.	Kayton.
Denman.	Montgomery.
Dunlap.	Nicholson.
Durham.	Reagan.
Foster.	Sutton.

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

(Speaker in the chair.)

HOUSE BILL NO. 140 WITH SENATE AMENDMENTS.

Mr. Holland called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 140, A bill to be entitled "An Act to permit applicants for writs of habeas corpus in all criminal cases where the maximum penalty for such offense does not exceed the punishment of confinement in the State penitentiary for more than ten years, when the relief prayed for by such applicant is denied by the judge or the court that applicant's petition is filed in a court of competent jurisdiction, and appeal is taken from such judgment or order of the trial court to the Court of Criminal Appeals of the State of Texas, such applicant may execute a good and sufficient bond, to be approved by the court or judge as now provided under provisions of Title 10 of the Code of Criminal Procedure of the State of Texas, 1925, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Holland, the House concurred in the Senate amendments by the following vote:

Yeas—115.

Mr. Speaker.	Farrar.
Albritton.	Faulk.
Alexander.	Finlay.
Barnett.	Fly.
Bass.	Forbes.
Bateman.	Gates.
Beck.	Gibson.
Bird.	Gilbert.
Boggs.	Graves.
Boon.	Gray.
Brown.	Hagaman.
Conway.	Hall.
Cornwell.	Harding.
Cox.	Hefley.
Cummings.	High.
Daniel.	Holder.
Dielmann.	Holland.
Duvall.	Hornaday.
Enderby.	Jacks.
Eickenroht.	Johnson.

Jones.	Renfro
Justice.	of Angelina.
Kemble.	Rogers of Hays.
Kennedy.	Rogers of Shelby.
Kenyon.	Rowell.
Kincaid.	Runge.
King of Hopkins.	Sanders.
King of Throckmorton.	Satterwhite.
Kinnear.	Shearer.
Kirkland.	Simmons.
Land.	Sinks.
Lipscomb.	Smith of El Paso.
Loftin.	Smith of Nueces.
Long.	Smith of Smith.
Loy.	Smyth.
Masterson.	Stevenson.
McCombs.	Storey.
McGill.	Stout.
Merritt.	Swain.
Minor.	Taylor.
Morse.	Teer.
Moursund.	Waddell.
Murphy.	Walker.
Nabors.	Wallace
Nicholson.	of Freestone.
Olsen.	Wallace of Panola.
Parish of Runnels.	Wallace of Smith.
Parrish of Travis.	Ware.
Pavlica.	Wassell.
Pearce.	Webb.
Poage.	Wells.
Pool.	Whitaker.
Pope.	Williams
Porter.	of Sabine.
Powell.	Williams
Purl.	of Travis.
Ramsey.	Williamson.
Rawlins.	Woodall.
Reagan.	Woodruff.
	Young.

Absent.

Acker.	Kayton.
Avis.	Montgomery.
Barron.	Renfro of Mills.
Black.	Sheats.
DeBerry.	Shirley.
Denman.	Snelgrove.
Dunlap.	Sutton.
Durham.	Turner.
Foster.	Van Zandt.
Harman.	Veatch.

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

Mr. Holland moved to reconsider the vote by which the House concurred in the Senate amendments, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 7 ON SECOND READING.

On motion of Mr. Montgomery, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 7, A bill to be entitled "An Act prohibiting the sale, offer for sale and exposing for sale, within this State, for human consumption, and the transportation and delivery to any common carrier for transport within this State, of diseased, immature, unripe, over-ripe or frost damaged oranges, lemons, grapefruit or other citrus fruits; or any oranges, the juice of which shall contain more than one and three-tenths per centum, by weight, of crystallized citric acid; or any grapefruit, the juice of which shall contain more than one and three-fourths per centum, by weight, of crystallized citric acid; or any misbranded citrus fruit; defining the offense of misbranding citrus fruit; prescribing the powers of the Commissioner of Agriculture with regard to the provisions of this act; making his official certificate admissible in evidence in proof of certain facts; and fixing a penalty for violation of the provisions of this act, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Montgomery offered the following amendments to the bill:

(1)

Amend House bill No. 7, by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That as used in this act the word "person" shall extend to and include persons, partnerships, associations and corporations; and the word "box" refers to the standard size containers now in common use in this State in the packing and shipping of citrus fruit; and the words "citrus fruit" shall extend to and include only the fruits of citrus grandis, osbeck, commonly and hereinafter called grapefruit or pomelo, and citrus sinensis, osbeck, commonly called sweet or round oranges, and hereinafter called oranges, and the words "packing house" shall extend to and include any structure or place prepared for and used for packing or otherwise preparing citrus fruit for market or transportation.

Sec. 2. It shall be unlawful for any person to sell or offer for sale any citrus fruit that is immature, unripe, over-

ripe, frozen or frost damaged, or otherwise unfit for consumption, or to transport, prepare, receive or deliver for transportation, or market any citrus fruit between the 31st day of August and the next succeeding December 15th in any year unless such fruit is accompanied by a certificate of inspection and maturity thereof as defined by this act, issued by a duly authorized citrus fruit inspector, or State chemist, an assistant State chemist, an inspector of the Chemical Division of the Department of Agriculture of this State, or a duly authorized inspector of the United States Bureau of Agricultural Economics.

The certificates of inspection and maturity mentioned in this act shall be of such number, form, size, character and shall be used in such manner as to identify the fruit to which they relate, as the Commissioner of Agriculture of this State may by rule or regulation prescribe. All inspections shall be made at the packing house. Provided, that it shall be unlawful during the remaining period from December 16 to August 31 following in each year, when inspection is not required by this act, for any person to sell, offer for sale, transport, deliver or prepare for sale or transportation any citrus fruit which is immature or otherwise unfit for consumption, or for any person to receive any such fruits under a contract of sale, or for the purpose of sale, offering for sale, transportation or delivery for transportation thereof.

Provided further, that the provisions of this act shall not apply to sales of citrus fruit "on the trees," nor to common carriers or their agents when the fruit accepted for transportation or transported by such common carrier is accompanied by a proper certificate of maturity and inspection of such fruits, as hereinafter provided, or when accepted by them for transportation between the 15th day of December in any year and the 31st day of August next thereafter, or transportation of fruit from the grove to packing house located within this State.

Sec. 3. (a) That within the purpose and meaning of this act, pomelos (grapefruit) shall be deemed to be mature only when the total soluble solids of the juice is not less than ten per cent, and when the minimum ratio of total soluble solids to anhydrous citric acid shall be seven to one (7 to 1).

(b) That within the meaning and purpose of this act oranges shall be deemed to be mature when the juice thereof contains not less than eight (8) per centum of total soluble solids to each part of anhydrous citric acid.

(c) In determining the total soluble solids the Brix Hydrometer shall be used, and the reading of the hydrometer corrected for temperature shall be considered as the per centum of total soluble solids. Anhydrous citric acid to be determined by titration of the juice, using standard alkali and phenolphthalein as the indicator, the total acidity being calculated as anhydrous citric acid.

(d) Any citrus fruit not conforming to the above standards shall be deemed and held to be immature within the meaning of this act.

Sec. 4. The owner, manager or operator of each packing house at which it is intended to pack or prepare citrus fruit for market or transportation during the then present or then next ensuing citrus fruit shipping season, shall register such packing house and its location, shipping point and post office with the Commissioner of Agriculture, not less than ten (10) days before packing or otherwise preparing any citrus fruit for sale or transportation in or at such packing house; and he shall in addition to such registration give the said Commissioner not less than seven (7) days written notice of the date on which the packing, or other preparation for sale or transportation between August 31 and December 15 of the citrus fruit of the then current or then next ensuing season's crop would be begun. And it shall be unlawful for any person to operate a citrus fruit packing house or to pack or otherwise prepare for sale or transportation any citrus fruit at such packing house without having previously registered said packing house and given the notice herein required; provided, that no certificate of inspection and maturity of any fruit shall be issued by any authorized inspector to any person who has not registered with the commissioner during the then current year or has not given to said commissioner the notice as required by this act, nor until after the payment of the inspection fee imposed by or under the provisions of this act and such payment evidenced as herein required or authorized.

Sec. 5. Every vendor or shipper of citrus fruit between the dates of Au-

gust 31 and December 15 of each year shall pay to the Commissioner of Agriculture a fee of one and one-half ($1\frac{1}{2}$) cents for every box of citrus fruit by him, it or them sold, transported or delivered for transportation, or when such fruit is sold or transported in bulk or in containers other than standard size boxes shall pay one and one-half ($1\frac{1}{2}$) cents for each two (2) cubic feet or fraction thereof, or each eighty (80) pounds or fraction thereof, of such fruit, provided, however, that if the Governor and Commissioner of Agriculture shall determine, not less than thirty days before the first day of September in any year, that a smaller fee than that herein provided will produce sufficient funds to defray the expenses of and incident to the enforcement of this act during the then next ensuing citrus fruit shipping or marketing season, the Governor may by order and proclamation reduce the fee to be paid during the next ensuing season to such sum as may be deemed sufficient for said purpose.

Such fee shall be due when the fruit is prepared for market or transportation, and payment thereof shall be evidenced by stamps; as hereinafter provided. And it shall be unlawful to sell, deliver, transport, or deliver or receive for transportation any citrus fruit payment of the fee for which is not evidenced by proper stamps as may be provided by regulation prescribed by the Commissioner of Agriculture.

Provided, however, that the provisions of this section shall not apply to the transportation or carriage of fruit from grove to packing houses within this State.

Sec. 6. It shall be the duty of the Commissioner of Agriculture to furnish the vendors and shippers of citrus fruits with such stamps to be attached to the packages of fruit prepared for sale, transportation, or delivery for transportation, or to the certificate of inspection and maturity, herein provided for, or to the shipping receipt, as the Commissioner of Agriculture may by rule or regulation prescribe.

Sec. 7. It shall be unlawful for any authorized inspector to make or deliver a certificate of inspection and maturity of any citrus fruit upon which the inspection fee hereby imposed or authorized has not been paid, or to make or issue any false certificate as to inspection, maturity, or payment of inspection fee.

Sec. 8. All citrus fruit prepared for sale or transportation, or which is being prepared for such purposes, or is being delivered for sale or transportation, that may be found to be immature or otherwise unfit for consumption upon inspection and testing, is hereby declared to be a public nuisance, detrimental to the public health, and the sale thereof declared to be a fraud upon the public, and shall be seized and disposed of by citrus fruit inspectors or by the sheriff of the county where found as may be provided by regulations prescribed by the Commissioner of Agriculture; provided that the owner of such citrus fruit that is immature or otherwise unfit for consumption may be allowed to retain possession of same subject to such regulations as the Commissioner of Agriculture shall prescribe.

Sec. 9. Upon recommendation of the Commissioner of Agriculture, the Governor may in each year appoint and commission as many citrus fruit inspectors for such period or periods, not exceeding one year, as said commissioner shall deem to be necessary for the effective enforcement of this act. Such inspectors shall make and file in the office of the Secretary of State the oath required by the Constitution of this State, and shall give a good and sufficient bond in the sum of one hundred dollars (\$1,000), payable to the Governor of the State of Texas, and conditioned for the faithful performance of the duties of such office.

All persons authorized under the provisions of this act to inspect and certify to the maturity of citrus fruit shall be governed in the discharge of their duties as such inspectors by the provisions of this act and by the rules and regulations prescribed by the Commissioner of Agriculture as herein authorized, and shall perform their duties under his direction and supervision.

Sec. 10. The salary of each citrus fruit inspector shall be at the rate of one hundred fifty dollars (\$150) per month, and in addition thereto shall receive his or her necessary traveling and other expenses incurred by him or her in the discharge of his or her duties as such inspector, which shall be paid upon approval of accounts therefor by the Commissioner of Agriculture. The commissioner is hereby authorized and empowered to employ such additional field and other agents and clerical assistance, at such times and for such periods

and to incur and pay any other expenses, including the traveling expenses of the Commissioner of Agriculture, during the citrus fruit season as may be necessary for the effective enforcement of this act, and to secure the payment of the inspection fees hereby imposed or that may be imposed under the authority of this act.

In cases of emergency or necessity when no citrus fruit inspector is available for the inspection of citrus fruit in any particular locality in this State, the Commissioner of Agriculture may designate some fit and competent individual to inspect, test and certify as to such fruit offered for sale or transportation in such locality. Certificate made or issued by such designated individual shall be signed by him or her as "Special Citrus Fruit Inspector"; he or she shall not be required to give any bond, but shall be subject to the penalties imposed by this act for violation of any of the provisions hereof.

Sec. 11. The Commissioner of Agriculture shall, from time to time, as he may deem to be expedient and necessary, make and promulgate rules and regulations for carrying out and enforcing the provisions and regulations of this act, not herein specifically provided for.

Sec. 12. Inspectors shall draw samples for analysis in the presence of the owner, manager, agent or custodian of any packing house where grapefruit or oranges are packed for shipment or sale. Three samples of 15 average grapefruit or oranges each, fairly representative of all the fruit at the time of being inspected, may be drawn by the inspector, witnessed by either the owner, manager, agent or custodian of the fruit. The mixing of Royal or other low acid grapefruit-orange hybrids with the ordinary varieties of grapefruit in order to secure the passing of a lot of fruit as mature of which a large part is immature and readily distinguishable from the mature fruit is prohibited. Likewise the mixing of mature fruit from one grove with immature fruit from another grove for the purpose of securing a lot of fruit that will pass the test as mature fruit is prohibited.

Sec. 13. No inspector, chemist, assistant State chemist, duly authorized inspector of the United States Bureau of Agricultural Economics, or individual designated by the Commissioner of Agriculture as "Special Citrus Fruit Inspector" shall be authorized to inspect, test

or issue a certificate of inspection or maturity, or give any expression of opinion relating to the maturity or quality of any fruit, either expressed or implied, except at a regularly registered packing house as herein defined and provided.

Sec. 14. It shall be unlawful for any person to obstruct or resist any authorized inspector in the performance or discharge of any duty imposed upon or required by him or her by the provisions of this act or by any rule or regulation prescribed by the Commissioner of Agriculture as herein authorized.

Sec. 15. Any person who shall violate any of the provisions of this act, or do or commit any act herein declared to be unlawful, or shall violate any reasonable rule or regulation made and promulgated by the Commissioner of Agriculture in pursuance of the authority therefor herein given, shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500), or by imprisonment for not to exceed six months, or by both such fine and imprisonment in the discretion of the court.

Sec. 16. All money received by the Commissioner of Agriculture for inspection fees and certificates of inspection and maturity shall be paid by him to the State Treasurer who shall deposit said money to the account of "Citrus Fruit Inspection Fund." All salaries and other expenses incurred in the execution and enforcement of the provisions of this act shall be paid out of such "Citrus Fruit Inspection Fund" (except as provided in the next succeeding section) by vouchers approved by the Commissioner of Agriculture and warrant issued thereon by the Comptroller.

Sec. 17. In order to provide for the expenses incident to the enforcement of this act there is hereby appropriated to the "Citrus Fruit Inspection Fund" the sum of five thousand dollars (\$5,000) out of any funds in the State Treasury not otherwise appropriated, which amount shall be available for the execution and enforcement of this act for the period beginning September 1, 1927, and ending August 31, 1929, which shall be available at the rate of twenty-five hundred dollars (\$2,500) each year.

Sec. 18. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Sec. 19. This act shall take effect immediately upon its becoming a law.

(2)

Amend House bill No. 7 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A bill to be entitled 'An Act prohibiting the sale or offer for sale, transportation, preparation, receiving or delivery for transportation or marketing of citrus fruit that is immature, unripe, over-ripe, frost damaged or otherwise unfit for consumption and the sale thereof declared to be a fraud upon the public; defining terms; prescribing the power and duties of the Commissioner of Agriculture with regard to the provisions of this act; providing for the enforcement thereof and prescribing penalties for violation of any of the provisions of this act.'"

The amendments were severally adopted.

House bill No. 7 was then passed to engrossment.

SENATE BILL NO. 183 ON SECOND READING.

On motion of Mr. Masterson, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 183, Creating Road District No. 1 in Matagorda county.

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 183 ON THIRD READING.

Mr. Masterson moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 183 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110.

Mr. Speaker.	Boggs.
Albritton.	Boon.
Avis.	Brown.
Barnett.	Conway.
Bass.	Cornwell.
Bateman.	Cox.
Beck.	Cummings.
Bird.	Daniel.
Black.	Dielmann.

Duvall.
Farrar.
Faulk.
Finlay.
Fly.
Forbes.
Gates.
Gibson.
Gilbert.
Graves.
Gray.
Hagaman.
Hall.
Harding.
Hefley.
High.
Holder.
Holland.
Hornaday.
Jacks.
Justice.
Kemble.
Kennedy.
Kenyon.
Kincaid.
King of
Throckmorton.
Kinneer.
Kirkland.
Land.
Lipscomb.
Loy.
Masterson.
McCombs.
McGill.
Merritt.
Montgomery.
Morse.
Moursund.
Murphy.
Nabors.
Nicholson.
Parish of Runnels.
Parrish of Travis.
Pavlica.
Pearce.
Poage.
Pool.
Pope.

Porter.
Powell.
Purl.
Ramsey.
Rawlins.
Reagan.
Renfro
of Angelina.
Renfro of Mills.
Rogers of Hays.
Rowell.
Runge.
Sanders.
Satterwhite.
Shearer.
Shirley.
Simmons.
Sinks.
Smith of El Paso.
Smith of Nueces.
Smith of Smith.
Smyth.
Stevenson.
Storey.
Stout.
Swain.
Taylor.
Teer.
Turner.
Van Zandt.
Veatch.
Waddell.
Walker.
Wallace
of Freestone.
Wallace of Panola.
Wallace of Smith.
Ware.
Wassell.
Webb.
Wells.
Williams
of Sabine.
Williams
of Travis.
Williamson.
Woodall.
Woodruff.
Young.

Nays—2.

Eickenroht.

Whitaker.

Absent.

Acker.	Harman.
Alexander.	Johnson.
Barron.	Jones.
DeBerry.	Kayton.
Denman.	King of Hopkins.
Dunlap.	Loftin.
Durham.	Long.
Enderby.	Minor.
Foster.	Olsen.

Rogers of Shelby. Snelgrove.
Sheats. Sutton.

Absent—Excused.

Anderson. McKean.
Bonham. Petsch.
Branch. Shaver.
Davis. Smith of Atascosa.
Fuchs. Stell.
Kirby. Tillotson.

The Speaker then laid Senate bill No. 183 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—111.

Mr. Speaker.	Loy.
Albritton.	Masterson.
Avis.	McCombs.
Barnett.	McGill.
Bass.	Merritt.
Bateman.	Minor.
Beck.	Montgomery.
Bird.	Morse.
Black.	Moursund.
Boggs.	Murphy.
Boon.	Nabors.
Brown.	Nicholson.
Conway.	Olsen.
Cornwell.	Parish of Runnels.
Cox.	Parrish of Travis.
Cummings.	Pavlica.
Daniel.	Pearce.
Dielmann.	Poage.
Duvall.	Pope.
Farrar.	Porter.
Faulk.	Powell.
Finlay.	Purl.
Fly.	Ramsey.
Forbes.	Rawlins.
Gates.	Reagan.
Gibson.	Renfro
Gilbert.	of Angelina.
Graves.	Renfro of Mills.
Gray.	Rogers.
Hagaman.	Rowell.
Hall.	Runge.
Harding.	Sanders.
Hefley.	Satterwhite.
High.	Shearer.
Holder.	Shirley.
Hornaday.	Simmons.
Jacks.	Sinks.
Justice.	Smith of El Paso.
Kemble.	Smith of Nueces.
Kennedy.	Smith of Smith.
Kenyon.	Smyth.
Kincaid.	Snelgrove.
King of	Stevenson.
Throckmorton.	Storey.
Kinnear.	Stout.
Kirkland.	Swain.
Land.	Taylor.
Lipscomb.	Teer.

Turner.	Webb.
Van Zandt.	Wells.
Veatch.	Whitaker.
Waddell.	Williams
Walker.	of Sabine.
Wallace	Williams
of Freestone.	of Travis.
Wallace of Panola.	Williamson.
Wallace of Smith.	Woodall.
Ware.	Woodruff.
Wassell.	Young.

Absent.

Acker.	Holland.
Alexander.	Johnson.
Barron.	Jones.
DeBerry.	Kayton.
Denman.	King of Hopkins.
Dunlap.	Loftin.
Durham.	Long.
Enderby.	Pool.
Eickenroht.	Rogers of Shelby.
Foster.	Sheats.
Harman.	Sutton.

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

SENATE BILL NO. 354 ON SECOND READING.

On motion of Mr. Masterson, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 354, Creating Road District No. 26 in Brazoria county.

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 354 ON THIRD READING.

Mr. Masterson moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 354 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110.

Mr. Speaker.	Black.
Alexander.	Boggs.
Avis.	Boon.
Barnett.	Brown.
Bass.	Conway.
Bateman.	Cornwell.
Beck.	Cox.
Bird.	Cummings.

Daniel.	Pope.
Dielmann.	Porter.
Duvall.	Powell.
Enderby.	Purl.
Farrar.	Ramsey.
Faulk.	Rawlins.
Finlay.	Reagan.
Fly.	Renfro
Forbes.	of Angelina.
Gates.	Renfro of Mills.
Gibson.	Rogers of Hays.
Gilbert.	Rowell.
Graves.	Runge.
Gray.	Sanders.
Hagaman.	Satterwhite.
Hall.	Shearer.
Harding.	Shirley.
Hefley.	Simmons.
High.	Sinks.
Holder.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Jacks.	Smith of Smith.
Jones.	Smyth.
Justice.	Snelgrove.
Kemble.	Stevenson.
Kenyon.	Storey.
Kincaid.	Stout.
King of	Swain.
Throckmorton.	Taylor.
Kinnear.	Teer.
Kirkland.	Turner.
Land.	Van Zandt.
Lipscomb.	Veatch.
Loy.	Waddell.
Masterson.	Walker.
McCombs.	Wallace
McGill.	of Freestone.
Merritt.	Wallace of Panola.
Minor.	Wallace of Smith.
Montgomery.	Ware.
Morse.	Wassell.
Moursund.	Webb.
Murphy.	Wells.
Nabors.	Williams
Nicholson.	of Sabine.
Parish of Runnels.	Williamson.
Pavlica.	Woodall.
Pearce.	Woodruff.
Poage.	Young.
Pool.	

Nays—3.

Albritton.	Whitaker.
Olsen.	

Present—Not Voting.

Kennedy.

Absent.

Acker.	Harman.
Barron.	Holland.
DeBerry.	Johnson.
Denman.	Kayton.
Dunlap.	King of Hopkins.
Durham.	Loftin.
Eickenroht.	Long.
Foster.	Parrish of Travis.

Rogers of Shelby.	Williams
Sheats.	of Travis.
Sutton.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

The Speaker then laid Senate bill No. 354 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—113.

Mr. Speaker.	Kirkland.
Albritton.	Land.
Alexander.	Lipscomb.
Avis.	Loftin.
Barnett.	Loy.
Bass.	Masterson.
Bateman.	McCombs.
Beck.	McGill.
Bird.	Merritt.
Black.	Minor.
Boggs.	Montgomery.
Boon.	Morse.
Brown.	Moursund.
Conway.	Murphy.
Cornwell.	Nabors.
Cox.	Nicholson.
Cummings.	Parish of Runnels.
Daniel.	Parrish of Travis.
Dielmann.	Pavlica.
Duvall.	Pearce.
Enderby.	Poage.
Eickenroht.	Pool.
Farrar.	Pope.
Faulk.	Porter.
Finlay.	Powell.
Fly.	Purl.
Forbes.	Ramsey.
Gates.	Rawlins.
Gibson.	Reagan.
Gilbert.	Renfro
Graves.	of Angelina.
Gray.	Renfro of Mills.
Hagaman.	Rogers.
Hall.	Rowell.
Harding.	Runge.
Hefley.	Sanders.
High.	Satterwhite.
Holder.	Shearer.
Hornaday.	Shirley.
Jacks.	Simmons.
Jones.	Sinks.
Justice.	Smith of El Paso.
Kemble.	Smith of Nueces.
Kenyon.	Smith of Smith.
Kincaid.	Smyth.
King of	Snelgrove.
Throckmorton.	Stevenson.
Kinnear.	Storey.

Stout.	Wallace of Smith.
Swain.	Ware.
Taylor.	Wassell.
Teer.	Webb.
Turner.	Wells.
Van Zandt.	Whitaker.
Veatch.	Williams
Waddell.	of Sabine.
Walker.	Williamson.
Wallace	Woodall.
of Freestone.	Woodruff.
Wallace of Panola.	Young.

Present—Not Voting.

Kennedy.

Absent.

Acker.	Kayton.
Barron.	King of Hopkins.
DeBerry.	Long.
Denman.	Olsen.
Dunlap.	Rogers of Shelby.
Durham.	Sheats.
Foster.	Sutton.
Harman.	Williams
Holland.	of Travis.
Johnson.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

SENATE BILL NO. 355 ON SECOND READING.

On motion of Mr. Masterson, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 355, Creating Road District No. 25 in Brazoria county.

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 355 ON THIRD READING.

Mr. Masterson moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 355 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Mr. Speaker.	Beck.
Alexander.	Bird.
Avis.	Black.
Barnett.	Boggs.
Bass.	Boon.
Bateman.	Brown.

Conway.	Pearce.
Cornwell.	Poage.
Cox.	Pool.
Cummings.	Pope.
Daniel.	Porter.
Dielmann.	Powell.
Duvall.	Purl.
Enderby.	Ramsey.
Eickenroht.	Rawlins.
Farrar.	Reagan.
Faulk.	Renfro
Finlay.	of Angelina.
Fly.	Renfro of Mills.
Forbes.	Rogers of Hays.
Fuchs.	Rowell.
Gates.	Runge.
Gibson.	Sanders.
Gilbert.	Satterwhite.
Graves.	Shearer.
Gray.	Shirley.
Hagaman.	Simmons.
Hall.	Sinks.
Harding.	Smith of El Paso.
Hefley.	Smith of Nueces.
High.	Smith of Smith.
Holder.	Smyth.
Hornaday.	Snelgrove.
Jacks.	Stevenson.
Justice.	Storey.
Kemble.	Stout.
Kenyon.	Swain.
Kincaid.	Taylor.
King of	Teer.
Throckmorton.	Turner.
Kinnear.	Van Zandt.
Kirkland.	Veatch.
Land.	Waddell.
Lipscomb.	Walker.
Loy.	Wallace
Masterson.	of Freestone.
McCombs.	Wallace of Panola.
McGill.	Wallace of Smith.
Merritt.	Ware.
Minor.	Wassell.
Montgomery.	Webb.
Morse.	Wells.
Moursund.	Williams
Murphy.	of Sabine.
Nabors.	Williamson.
Nicholson.	Woodall.
Parish of Runnels.	Woodruff.
Parrish of Travis.	Young.
Pavlica.	

Nays—2.

Albritton.

Whitaker.

Present—Not Voting.

Kennedy.

Absent.

Acker.	Foster.
Barron.	Harman.
DeBerry.	Holland.
Denman.	Johnson.
Dunlap.	Jones.
Durham.	Kayton.

King of Hopkins. Sheats.
Loftin. Sutton.
Long. Williams
Olsen. of Travis.
Rogers of Shelby.

Absent—Excused.

Anderson. Petsch.
Bonham. Shaver.
Branch. Smith of Atascosa.
Davis. Stell.
Kirby. Tillotson.
McKean.

The Speaker then laid Senate bill No. 355 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—113.

Mr. Speaker.	King of
Albritton.	Throckmorton.
Alexander.	Kinnear.
Avis.	Kirkland.
Barnett.	Land.
Bass.	Lipscomb.
Bateman.	Loftin.
Beck.	Loy.
Bird.	Masterson.
Black.	McCombs.
Boggs.	McGill.
Boon.	Merritt.
Brown.	Minor.
Conway.	Montgomery.
Cornwell.	Morse.
Cox.	Moursund.
Cummings.	Murphy.
Daniel.	Nabors.
Dielmann.	Nicholson.
Duvall.	Olsen.
Enderby.	Parish of Runnels.
Eickenroht.	Parrish of Travis.
Farrar.	Pavlica.
Finlay.	Pearce.
Fly.	Poage.
Forbes.	Pope.
Gates.	Porter.
Gibson.	Powell.
Gilbert.	Purl.
Graves.	Ramsey.
Gray.	Rawlins.
Hagaman.	Reagan.
Hall.	Renfro
Harding.	of Angelina.
Hefley.	Renfro of Mills.
High.	Rogers of Hays.
Holder.	Rowell.
Holland.	Runge.
Hornaday.	Sanders.
Jacks.	Satterwhite.
Jones.	Shearer.
Justice.	Shirley.
Kemble.	Simmons.
Kenyon.	Sinks.
Kincaid.	Smith of El Paso.

Smith of Nueces.	Wallace
Smith of Smith.	of Freestone.
Smyth.	Wallace of Panola.
Snelgrove.	Wallace of Smith.
Stevenson.	Ware.
Storey.	Wassell.
Stout.	Webb.
Swain.	Wells.
Taylor.	Whitaker.
Teer.	Williams
Turner.	of Sabine.
Van Zandt.	Williamson.
Veatch.	Woodall.
Waddell.	Woodruff.
Walker.	Young.

Present—Not Voting.

Kennedy.

Absent.

Acker.	Kayton.
Barron.	King of Hopkins.
DeBerry.	Long.
Denman.	Pool.
Dunlap.	Rogers of Shelby.
Durham.	Sheats.
Faulk.	Sutton.
Foster.	Williams
Harman.	of Travis.
Johnson.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

HOUSE BILL NO. 245 ON SECOND READING.

On motion of Mr. Rawlins, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 245, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by cities and towns in the State of Texas, which levies are unenforceable because of the failure of the governing bodies in such respective cities and towns to make such levies by ordinance, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 245 ON THIRD READING.

Mr. Rawlins moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 245 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Nicholson.
Alexander.	Parish of Runnels.
Avis.	Parrish of Travis.
Barnett.	Pavlica.
Bass.	Pearce.
Beck.	Poage.
Bird.	Pool.
Black.	Pope.
Boggs.	Porter.
Boon.	Powell.
Brown.	Purl.
Conway.	Ramsey.
Cornwell.	Rawlins.
Cox.	Reagan.
Cummings.	Renfro
Daniel.	of Angelina.
Dielmann.	Renfro of Mills.
Enderby.	Rogers of Hays.
Faulk.	Rogers of Shelby.
Finlay.	Rowell.
Fly.	Runge.
Forbes.	Sanders.
Gates.	Satterwhite.
Gibson.	Shearer.
Gilbert.	Shirley.
Gray.	Simmons.
Hagaman.	Sinks.
Harding.	Smith of El Paso.
Hefley.	Smith of Nueces.
High.	Smith of Smith.
Holder.	Smyth.
Holland.	Snelgrove.
Hornaday.	Stevenson.
Jacks.	Storey.
Johnson.	Stout.
Jones.	Swain.
Justice.	Taylor.
Kemble.	Teer.
Kenyon.	Turner.
Kincaid.	Van Zandt.
King of	Veatch.
Throckmorton.	Waddell.
Kinnear.	Wallace
Kirkland.	of Freestone.
Lipscomb.	Wallace of Panola.
Loftin.	Wallace of Smith.
Masterson.	Wassell.
McCombs.	Webb.
Merritt.	Wells.
Minor.	Williams
Morse.	of Sabine.
Moursund.	Woodall.
Murphy.	Woodruff.
Nabors.	Young.

Nays—5.

Albritton.	Olsen.
Eickenroht.	Walker.
Land.	

Present—Not Voting.

Bateman.	Kennedy.
Farrar.	Whitaker.

Absent.

Acker.	King of Hopkins.
Barron.	Long.
DeBerry.	Loy.
Denman.	McGill.
Dunlap.	Montgomery.
Durham.	Sheats.
Duvall.	Sutton.
Foster.	Ware.
Graves.	Williams
Hall.	of Travis.
Harman.	Williamson.
Kayton.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

The Speaker then laid House bill No. 245 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—111.

Mr. Speaker.	Kemble.
Albritton.	Kenyon.
Alexander.	Kincaid.
Avis.	King of
Bass.	Throckmorton.
Beck.	Kinnear.
Bird.	Kirkland.
Black.	Lipscomb.
Boggs.	Loy.
Brown.	Masterson.
Conway.	McCombs.
Cornwell.	McGill.
Cox.	Merritt.
Daniel.	Minor.
Dielmann.	Montgomery.
Duvall.	Morse.
Enderby.	Moursund.
Eickenroht.	Murphy.
Faulk.	Nabors.
Finlay.	Nicholson.
Fly.	Olsen.
Forbes.	Parish of Runnels.
Gates.	Parrish of Travis.
Gibson.	Pavlica.
Gilbert.	Pearce.
Gray.	Poage.
Hagaman.	Pope.
Hall.	Porter.
Harding.	Powell.
Hefley.	Purl.
High.	Ramsey.
Holland.	Rawlins.
Hornaday.	Reagan.
Jacks.	Renfro
Johnson.	of Angelina.
Jones.	Renfro of Mills.
Justice.	Rogers of Hays.

Rogers of Shelby.	Van Zandt.
Rowell.	Veatch.
Runge.	Waddell.
Sanders.	Walker.
Satterwhite.	Wallace
Shearer.	of Freestone.
Shirley.	Wallace of Panola.
Simmons.	Wallace of Smith.
Sinks.	Ware.
Smith of El Paso.	Wassell.
Smith of Nueces.	Webb.
Smith of Smith.	Whitaker.
Smyth.	Williams
Snelgrove.	of Sabine.
Stevenson.	Williams
Storey.	of Travis.
Stout.	Williamson.
Swain.	Woodall.
Taylor.	Woodruff.
Teer.	Young.
Turner.	

Nays—2.

Land. Loftin.

Present—Not Voting.

Bateman. Kennedy.
Farrar.

Absent.

Acker.	Graves.
Barnett.	Harman.
Barron.	Holder.
Boon.	Kayton.
Cummings.	King of Hopkins.
DeBerry.	Long.
Denman.	Pool.
Dunlap.	Sheats.
Durham.	Sutton.
Foster.	Wells.

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

SENATE BILL NO. 171 ON SECOND
READING.

On motion of Mr. Finlay, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 171, A bill to be entitled "An Act relating to cities and towns, and towns and villages, which have assumed control of their schools; declaring them to be independent school districts; providing for an independent school district where towns and villages or cities and towns have abolished their corporate existence, and providing how they shall be governed and controlled; validating all towns and villages or

cities and towns that have heretofore assumed control of their public free schools under the Revised Statutes of this State, and have abolished their corporate existence and re-incorporated for municipal purposes and have again assumed control of their public free schools, and validating all acts and things in pursuance thereof by the board of trustees of the district or the municipal authorities in accepting said acts and assuming control of said district within the limits of said school district, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 171 ON THIRD
READING.

Mr. Finlay moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 171 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	King of
Alexander.	Throckmorton.
Avis.	Kinnear.
Bass.	Kirkland.
Bateman.	Land.
Bird.	Lipscomb.
Black.	Loftin.
Boggs.	Loy.
Boon.	Masterson.
Brown.	McCombs.
Conway.	McGill.
Cornwell.	Merritt.
Cox.	Montgomery.
Daniel.	Moursund.
Dielmann.	Murphy.
Enderby.	Nabors.
Farrar.	Nicholson.
Faulk.	Parish of Runnels.
Finlay.	Parrish of Travis.
Fly.	Pavlica.
Forbes.	Poage.
Gates.	Pool.
Gilbert.	Pope.
Gray.	Porter.
Hagaman.	Powell.
Harding.	Purl.
Hefley.	Ramsey.
High.	Rawlins.
Holland.	Reagan.
Hornaday.	Renfro
Jacks.	of Angelina.
Johnson.	Renfro of Mills.
Jones.	Rogers of Hays.
Justice.	Rowell.
Kenyon.	Runge.
Kincaid.	Sanders.

Satterwhite.
Shearer.
Shirley.
Simmons.
Sinks.
Smith of El Paso.
Smith of Nueces.
Smith of Smith.
Smyth.
Stevenson.
Storey.
Stout.
Taylor.
Teer.
Turner.
Van Zandt.
Veatch.

Waddell.
Walker.
Wallace of Panola.
Wallace of Smith.
Ware.
Wassell.
Webb.
Wells.
Williams
of Sabine
Williams
of Travis.
Williamson.
Woodall.
Woodruff.
Young.

Nays—5.

Albritton.
Eickenroht.
Olsen.

Snelgrove.
Whitaker.

Present—Not Voting.

Kennedy.

Absent.

Acker.
Barnett.
Barron.
Beck.
Cummings.
DeBerry.
Denman.
Dunlap.
Durham.
Duvall.
Foster.
Gibson.
Graves.
Hall.
Harman.

Holder.
Kayton.
Kemble.
King of Hopkins.
Long.
Minor.
Morse.
Pearce.
Rogers of Shelby.
Sheats.
Sutton.
Swain.
Wallace
of Freestone.

Absent—Excused.

Anderson.
Bonham.
Branch.
Davis.
Fuchs.
Kirby.

McKean.
Petsch.
Shaver.
Smith of Atascosa.
Stell.
Tillotson.

The Speaker then laid Senate bill No. 171 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—113.

Mr. Speaker.
Albritton.
Alexander.
Avis.
Bass.
Bateman.
Bird.
Black.
Boggs.

Boon.
Brown.
Conway.
Cornwell.
Cox.
Daniel.
Dielmann.
Duvall.
Enderby.

Eickenroht.
Faulk.
Finlay.
Fly.
Forbes.
Gates.
Gilbert.
Gray.
Hagaman.
Hall.
Harding.
Hefley.
High.
Holder.
Holland.
Hornaday.
Jacks.
Johnson.
Jones.
Justice.
Kemble.
Kenyon.
Kincaid.
King of
Throckmorton.
Kinnear.
Kirkland.
Land.
Lipscomb.
Loftin.
Loy.
Masterson.
McCombs.
McGill.
Merritt.
Montgomery.
Morse.
Moursund.
Murphy.
Nabors.
Nicholson.
Olsen.
Parish of Runnels.
Parrish of Travis.
Pavlica.
Pearce.
Poage.
Pool.
Pope.
Porter.

Powell.
Purl.
Ramsey.
Rawlins.
Reagan.
Renfro
of Angelina.
Renfro of Mills.
Rogers of Hays.
Rowell.
Runge.
Sanders.
Satterwhite.
Shearer.
Shirley.
Simmons.
Sinks.
Smith of El Paso.
Smith of Nueces.
Smith of Smith.
Smyth.
Snelgrove.
Stevenson.
Storey.
Sutton.
Swain.
Taylor.
Teer.
Turner.
Van Zandt.
Veatch.
Waddell.
Walker.
Wallace
of Freestone.
Wallace of Panola.
Wallace of Smith.
Ware.
Wassell.
Webb.
Wells.
Whitaker.
Williams
of Sabine
Williams
of Travis.
Williamson.
Woodall.
Woodruff.
Young.

Present—Not Voting.

Farrar.

Kennedy.

Absent.

Acker.
Barnett.
Barron.
Beck.
Cummings.
DeBerry.
Denman.
Dunlap.
Durham.
Foster.

Gibson.
Graves.
Harman.
Kayton.
King of Hopkins.
Long.
Minor.
Rogers of Shelby.
Sheats.
Stout.

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

SENATE BILL NO. 167 ON SECOND READING.

On motion of Mr. Taylor, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 167, A bill to be entitled "An Act to create Road District No. 4, in Hill county, Texas; validating and approving all orders made by the commissioners court of said county, in respect to the organization of said district; validating the authorization, issuance, and sale of certain road bonds thereof, and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said road district," etc.

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 167 ON THIRD READING.

Mr. Taylor moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 167 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114.

Mr. Speaker.	Forbes.
Alexander.	Gates.
Avis.	Gilbert.
Barnett.	Graves.
Bass.	Gray.
Bateman.	Hagaman.
Bird.	Hall.
Black.	Harding.
Boggs.	Harman.
Boon.	Hefley.
Brown.	High.
Conway.	Holder.
Cornwell.	Holland.
Cox.	Hornaday.
Cummings.	Jacks.
Daniel.	Johnson.
Dielmann.	Jones.
Duvall.	Justice.
Enderby.	Kemble.
Farrar.	Kenyon.
Faulk.	Kincaid.
Finlay.	King of
Fly.	Throckmorton.

Kinnear.	Shirley.
Kirkland.	Simmons.
Land.	Sinks.
Lipscomb.	Smith of El Paso.
Loftin.	Smith of Nueces.
Masterson.	Smith of Smith.
McCombs.	Smyth.
McGill.	Snelgrove.
Merritt.	Stevenson.
Minor.	Storey.
Montgomery.	Stout.
Morse.	Sutton.
Moursund.	Swain.
Murphy.	Taylor.
Nabors.	Teer.
Nicholson.	Turner.
Parish of Runnels.	Van Zandt.
Parrish of Travis.	Veatch.
Pavlica.	Waddell.
Pearce.	Walker.
Poage.	Wallace
Pool.	of Freestone.
Pope.	Wallace of Panola.
Porter.	Wallace of Smith.
Purl.	Ware.
Ramsey.	Wassell.
Rawlins.	Webb.
Reagan.	Wells.
Renfro	Williams
of Angelina.	of Sabine.
Renfro of Mills.	Williams
Rogers of Hays.	of Travis.
Rowell.	Williamson.
Runge.	Woodall.
Sanders.	Woodruff.
Satterwhite.	Young.
Shearer.	

Nays—4.

Albritton.	Loy.
Eickenroht.	Olsen.

Present—Not Voting.

Kennedy.	Whitaker.
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Absent.

Acker.	Gibson.
Barron.	Kayton.
Beck.	King of Hopkins.
DeBerry.	Long.
Denman.	Powell.
Dunlap.	Rogers of Shelby.
Durham.	Sheats.
Foster.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

The Speaker then laid Senate bill No. 167 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—114.

Mr. Speaker.	Nabors.
Albritton.	Nicholson.
Alexander.	Olsen.
Avis.	Parish of Runnels.
Barnett.	Parrish of Travis.
Bass.	Pavlica.
Bateman.	Pearce.
Bird.	Poage.
Black.	Pool.
Boon.	Pope.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Cummings.	Ramsey.
Daniel.	Rawlins.
Dielmann.	Reagan.
Duvall.	Renfro
Enderby.	of Angelina.
Eickenroht.	Renfro of Mills.
Farrar.	Rogers of Hays.
Faulk.	Rowell.
Finlay.	Runge.
Fly.	Sanders.
Forbes.	Satterwhite.
Gates.	Shearer.
Gibson.	Shirley.
Gilbert.	Simmons.
Gray.	Smith of El Paso.
Hagaman.	Smith of Nueces.
Hall.	Smith of Smith.
Harding.	Smyth.
Harman.	Snelgrove.
Hefley.	Stevenson.
High.	Storey.
Holder.	Sutton.
Holland.	Swain.
Hornaday.	Taylor.
Jacks.	Turner.
Johnson.	Van Zandt.
Jones.	Veatch.
Justice.	Waddell.
Kemble.	Walker.
Kenyon.	Wallace
Kincaid.	of Freestone.
King of	Wallace of Panola.
Throckmorton.	Wallace of Smith.
Kinnear.	Ware.
Kirkland.	Wassell.
Land.	Webb.
Lipscomb.	Wells.
Loy.	Whitaker.
Masterson.	Williams
McCombs.	of Sabine
McGill.	Williams
Merritt.	of Travis.
Minor.	Williamson.
Montgomery.	Woodall.
Morse.	Woodruff.
Moursund.	Young.
Murphy.	

Present—Not Voting.

Kennedy.

Absent.

Acker.	Graves.
Barron.	Kayton.
Beck.	King of Hopkins.
Boggs.	Loftin.
Cox.	Long.
DeBerry.	Rogers of Shelby.
Denman.	Sheats.
Dunlap.	Sinks.
Durham.	Stout.
Foster.	Teer.

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

SENATE BILL NO. 172 ON SECOND READING.

On motion of Mr. Finlay, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 172, A bill to be entitled "An Act validating certain cities and towns incorporated under the general laws of Texas, Title 28, Revised Civil Statutes, 1925, having 600 inhabitants or over, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 172 ON THIRD READING.

Mr. Finlay moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 172 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110.

Mr. Speaker.	Dielmann.
Alexander.	Enderby.
Avis.	Faulk.
Barnett.	Finlay.
Bass.	Fly.
Bateman.	Forbes.
Beck.	Gates.
Bird.	Gilbert.
Black.	Gray.
Boggs.	Hagaman.
Boon.	Hall.
Brown.	Harding.
Conway.	Harman.
Cornwell.	Hefley.
Cox.	High.
Cummings.	Holder.
Daniel.	Holland.

Hornaday.	Rowell.
Jacks.	Runge.
Johnson.	Sanders.
Justice.	Satterwhite.
Kemble.	Shearer.
Kenyon.	Shirley.
Kincaid.	Simmons.
King of	Sinks.
Throckmorton.	Smith of El Paso.
Kinnear.	Smith of Nueces.
Kirkland.	Smith of Smith.
Land.	Smyth.
Lipscomb.	Snelgrove.
Loftin.	Stevenson.
Masterson.	Storey.
McCombs.	Stout.
McGill.	Sutton.
Merritt.	Swain.
Minor.	Taylor.
Montgomery.	Teer.
Morse.	Turner.
Moursund.	Van Zandt.
Murphy.	Veatch.
Nabors.	Waddell.
Nicholson.	Walker.
Parish of Runnels.	Wallace
Parrish of Travis.	of Freestone.
Pavlica.	Wallace of Panola.
Pearce.	Wallace of Smith.
Poage.	Ware.
Pool.	Wassell.
Pope.	Webb.
Porter.	Wells.
Powell.	Williams
Purl.	of Sabine.
Ramsey.	Williams
Rawlins.	of Travis.
Reagan.	Williamson.
Renfro	Woodall.
of Angelina.	Woodruff.
Renfro of Mills.	Young.
Rogers of Hays.	

Nays—4.

Albritton.	Olsen.
Eickenroht.	Whitaker.

Present—Not Voting.

Farrar.	Kennedy.
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Absent.

Acker.	Graves.
Barron.	Jones.
DeBerry.	Kayton.
Denman.	King of Hopkins.
Dunlap.	Long.
Durham.	Loy.
Duvall.	Rogers of Shelby.
Foster.	Sheats.
Gibson.	

Absent—Excused.

Anderson.	Davis.
Bonham.	Fuchs.
Branch.	Kirby.

McKean.	Smith of Atascosa.
Petsch.	Stell.
Shaver.	Tillotson.

The Speaker then laid Senate bill No. 172 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—116.

Mr. Speaker.	Montgomery.
Albritton.	Morse.
Alexander.	Moursund.
Avis.	Murphy.
Barnett.	Nabors.
Bass.	Nicholson.
Bateman.	Olsen.
Beck.	Parish of Runnels.
Bird.	Parrish of Travis.
Black.	Pavlica.
Boggs.	Pearce.
Boon.	Poage.
Brown.	Pool.
Conway.	Pope.
Cornwell.	Porter.
Cox.	Powell.
Cummings.	Purl.
Daniel.	Ramsey.
Dielmann.	Rawlins.
Enderby.	Reagan.
Eickenroht.	Renfro
Farrar.	of Angelina.
Faulk.	Renfro of Mills.
Finlay.	Rogers of Hays.
Fly.	Rowell.
Forbes.	Runge.
Gates.	Sanders.
Gibson.	Satterwhite.
Gilbert.	Shearer.
Hagaman.	Shirley.
Hall.	Simmons.
Harding.	Sinks.
Harman.	Smith of El Paso.
Hefley.	Smith of Nueces.
High.	Smith of Smith.
Holder.	Smyth.
Holland.	Snelgrove.
Hornaday.	Stevenson.
Jacks.	Storey.
Johnson.	Stout.
Justice.	Sutton.
Kemble.	Swain.
Kenyon.	Taylor.
Kincaid.	Teer.
King of	Turner.
Throckmorton.	Van Zandt.
Kinnear.	Veatch.
Kirkland.	Waddell.
Land.	Walker.
Lipscomb.	Wallace
Loftin.	of Freestone.
Masterson.	Wallace of Panola.
McCombs.	Wallace of Smith.
McGill.	Ware.
Merritt.	Wassell.
Minor.	Webb.

Wells.	Williams
Whitaker.	of Travis.
Williams	Woodall.
of Sabine.	Young.

Present—Not Voting.

Kennedy.

Absent.

Acker.	Jones.
Barron.	Kayton.
DeBerry.	King of Hopkins.
Denman.	Long.
Dunlap.	Loy.
Durham.	Rogers of Shelby.
Duvall.	Sheats.
Foster.	Williamson.
Graves.	Woodruff.
Gray.	

Absent—Excused.

Anderson.	McKean.
Bonham.	Petsch.
Branch.	Shaver.
Davis.	Smith of Atascosa.
Fuchs.	Stell.
Kirby.	Tillotson.

HOUSE BILL NO. 103 ON SECOND READING.

On motion of Mr. Merritt, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 103, A bill to be entitled "An Act placing a closed season of five years on certain birds in certain counties."

The Speaker laid the bill before the House, and it was read second time.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 103, page 1, Section 1, line 17, between words "of" and "Scurry," insert "Coleman, Brown, Limestone, Collin, Montgomery, Harrison, Fannin, Lamar, Polk, Jack, Navarro, Parker, Hays, Brazoria, Milam, Hale, Clay, Archer, Wichita, Taylor, Henderson, Young, Yoakum, Gaines, Dawson, Montague, Williamson, Tom Green, Caldwell, Rockwall, Kaufman, Collin, Grayson, Lamar, Foard, Ellis, Johnson, Rusk."

The amendment was adopted.

Mr. Merritt offered the following (committee) amendment to the bill:

To amend by adding to House bill No. 103, Section 2, the following, after the words "two hundred dollars":

"That this law shall not apply to any person who shall have in his possession such wild birds as heretofore named when such wild birds shall have been

killed or taken outside such counties as heretofore named."

Mr. Finlay offered the following substitute for the (committee) amendment:

Amend House bill 103 by adding after the word "Texas," in line 18, page 1, the words: "Provided that residents of counties hereby protected shall not be allowed to hunt in counties under the general game law."

The substitute amendment was adopted. Question then recurring on the amendment as substituted, it was adopted.

Question next recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 103 was then passed to engrossment by the following vote:

Yeas—92.

Mr. Speaker.	Loftin.
Albritton.	Masterson.
Alexander.	McCombs.
Avis.	McGill.
Barnett.	Merritt.
Barron.	Morse.
Bass.	Moursund.
Bateman.	Murphy.
Beck.	Nicholson.
Bird.	Olsen.
Black.	Pavlica.
Boggs.	Pearce.
Boon.	Pope.
Conway.	Porter.
Cornwell.	Powell.
Daniel.	Ramsey.
Duvall.	Rawlins.
Enderby.	Reagan.
Farrar.	Renfro
Faulk.	of Angelina.
Finlay.	Renfro of Mills.
Fly.	Rogers of Hays.
Forbes.	Rowell.
Gibson.	Runge.
Gilbert.	Sanders.
Gray.	Satterwhite.
Hagaman.	Shearer.
Hall.	Shirley.
Harding.	Simmons.
Harman.	Smyth.
Hefley.	Snelgrove.
Holder.	Stevenson.
Holland.	Storey.
Hornaday.	Stout.
Jacks.	Swain.
Johnson.	Taylor.
Kemble.	Turner.
Kenyon.	Veatch.
King of	Wallace of Smith.
Throckmorton.	Ware.
Kinnear.	Wassell.
Kirkland.	Webb.
Land.	Wells.
Lipscomb.	Whitaker.

Williams
of Sabine.
Williams
of Travis.

Williamson.
Woodall.
Young.

Nays—17.

Brown.
Cummings.
Gates.
Jones.
Kincaid.
Long.
Nabors.
Parish of Runnels.
Parrish of Travis.

Poage.
Smith of Smith.
Sutton.
Teer.
Van Zandt.
Walker.
Wallace
of Freestone.
Wallace of Panola.

Present—Not Voting.

Cox.
Dielmann.
Eickenroht.

Kennedy.
Purl.
Smith of El Paso.

Absent.

Acker.
DeBerry.
Denman.
Dunlap.
Durham.
Foster.
Graves.
High.
Justice.
Kayton.
King of Hopkins.

Loy.
Minor.
Montgomery.
Pool.
Rogers of Shelby.
Sheats.
Sinks.
Smith of Nueces.
Waddell.
Woodruff.

Absent—Excused.

Anderson.
Bonham.
Branch.
Davis.
Fuchs.
Kirby.

McKean.
Petsch.
Shaver.
Smith of Atascosa.
Stell.
Tillotson.

ADJOURNMENT.

On motion of Mr. Jacks, the House,
at 6 o'clock p. m., adjourned until 10
o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today
filed favorable reports on bills as fol-
lows:

Judiciary: House bills Nos. 452, 429,
475, 530, 529, and Senate bill No. 142.

Conservation and Reclamation: Sen-
ate bill No. 248.

Appropriations: House bills Nos. 564,
563, 561 and 304.

Revenue and Taxation: House bill
No. 437.

Highways and Motor Traffic: Senate
bills Nos. 167, 183, 279, 550, 354, 355,
356, and House bills Nos. 498 and 495.

The following committee has today
filed adverse report on bill as follows:

Judiciary: House bill No. 338.

REPORTS OF COMMITTEE ON EN- ROLLED BILLS.

Committee Room,
Austin, Texas, February 17, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 57, "An Act to amend Ar-
ticles 2238, 2239 and 2240 of the Revised
Civil Statutes of Texas of 1925, by add-
ing Articles 2241a and 2241b, providing
that if appellant or his attorney delivers
bills of exceptions and statements of
fact to appellee or his attorney and
same are not returned to the appellant
or his attorney, approved or disap-
proved, within twenty days after same
has been delivered to him, the judge of
the trial court shall thereupon, on proof
being offered by appellant or his attor-
ney that twenty days or more have
elapsed and that said bills of exceptions
and statements of fact have not been
returned to appellant or his attorney,
shall make out and file proper bills of
exceptions and statements of fact,"

Have carefully compared same and
find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, February 17, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 147, "An Act to amend
Article 2249 of the Revised Civil Stat-
utes of Texas, 1925, adopted at the Reg-
ular Session of the Thirty-ninth Legis-
lature, so as to to repeal that portion
of said article, allowing an appeal to
the Court of Civil Appeals from every
order of any district or county court in
civil cases, granting motions for new
trials, and declaring an emergency,
also, inserting a provision previously
omitted in reference to writs of error,"

Have carefully compared same and
find it correctly enrolled.

MORSE, Chairman.